United Nations A/C.1/54/PV.23

General Assembly
Fifty-fourth session
First Committee
23rd Meeting
Thursday, 4 November 1999, 10 a.m.
New York

Official Records

Chairman: Mr. González ..... (Chile)

The meeting was called to order at 10.20 a.m.

Organization of work

The Chairman (*spoke in Spanish*): Before proceeding, I would like, as Chairman, to make a general appeal to all delegations.

First, I think we all agree that each and every delegation present here has the same rights, which includes the right to information and therefore the right to study and evaluate the various events that transpire in the course of action on the various draft resolutions. Failing that, we might have situations in which only a small number of countries would be in a position to take a decision on a draft resolution in full knowledge of the facts and with all the necessary instructions. That is why I wish to make this very special appeal to all delegations to continue to cooperate with the Chair — as they said they would in their statements during the general debate, and as they have done so far very thoroughly.

I would like to avoid surprises so that all delegations have time to study properly the various draft resolutions. As all are aware, we are going into a more complex stage of our work, but all are also aware that the atmosphere is very good and that the Committee is displaying a very good willingness to work as a group, as can be seen in the way in which we have been handling our tasks in the First Committee so far.

As delegations were informed during the Committee's meeting on Tuesday, 2 November 1999, the Committee this morning will take action on draft resolutions appearing in informal paper No. 4/Rev.1.

An informal text of an amendment to draft resolution A/C.1/54/L.1/Rev.1, submitted by the delegation of France, has just come to the attention of the Chair, and I assume it has just come to the attention of delegations as well. Procedurally, of course, oral amendments can be made to draft resolutions, but for the sake of our working atmosphere and the substantive results we seek, we should not embark on procedural skirmishes. I, as Chairman, am not affected by this, but I believe it affects the rights of delegations that have fewer representatives and resources for requesting instructions. Obviously, the amendment deserves careful consideration, and careful consideration can be given only on the basis of an official United Nations document and through delegations' consultations with their Foreign Ministries.

I held some informal consultations before this meeting, and other delegations have conveyed the same message to me. I therefore ask the Committee not to take action on this draft resolution today, not to take action until all the required conditions are met. The Secretariat has told me that the document will be available as a formal document tomorrow morning, and we could take action on Monday.

Mr. Abdullayev (Russian Federation) (*spoke in Russian*): The sponsors of draft resolution A/C.1/54/L.1/Rev.1 are now engaged in active consultations that relate, *inter alia*, to new aspects of the French amendment. I should like to request you, Mr. Chairman, to return a bit later to the question of when we will be taking a decision on draft resolution A/C.1/54/L.1/Rev.1. In that connection, I propose that either we call a break, or we start work following the plan

00-39615 (E)

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that you have proposed, but leaving aside draft resolution A/C.1/54/L.1/Rev.1 and starting with draft resolution A/C.1/54/L.17 and those that follow. In any case, I think that in a few minutes there will be full clarity on when we will be able to take a decision on draft resolution A/C.1/54/L.1/Rev.1.

The Chairman (*spoke in Spanish*): I should like to restate that the essence of my proposal is the wish to provide enough time for everyone to acquaint themselves with the content of a draft resolution that is of great importance. In any case, I agree with the proposal just made, and if there is no objection we will move on to the following draft resolutions: in cluster 1, draft resolutions A/C.1/54/L.17, A/C.1/54/L.31/Rev.1, A/C.1/54/L.33, A/C.1/54/L.34, A/C.1/54/L.35 and A/C.1/54/L.43; in cluster 2, draft resolution A/C.1/54/L.19/Rev.1; and in cluster 4, draft resolutions A/C.1/54/L.25 and A/C.1/54/L.52. I see no objection.

It was so decided.

Agenda items 64, 65 and 67 to 85 *(continued)*

Introduction of revised draft resolutions

The Chairman (*spoke in Spanish*): If no delegations wish to make general statements on draft resolutions contained in cluster 1, I shall now call on those delegations wishing to introduce revised draft resolutions.

I call first on the representative of Egypt, who wishes to speak on a point of order.

Mr. Khairat (Egypt): I have just a brief question. If a delegation wishes to present a revised draft resolution, when can it do so?

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee to reply.

Mr. Lin Kuo-chung (Secretary of the Committee): With regard to a revised draft resolution, as soon as the official documents are issued, and provided 24 hours have elapsed, the Committee can act on it. For example, a revision issued yesterday can be acted upon today.

Mr. Khairat (Egypt): My question relates to the introduction of a revised draft resolution, not action on it. My delegation wants to know when it can introduce a revised draft resolution from the floor.

The Chairman (*spoke in Spanish*): At any time.

Mr. Čalovski (the former Yugoslav Republic of Macedonia): I am taking the floor to introduce draft resolution A/C.1/54/L.40/Rev.1, but before doing so I should like to take the opportunity to welcome your wise guidance, Mr. Chairman, concerning the future work of the Committee. Of course, my delegation will follow your guidance.

On behalf of the delegations listed in draft resolution A/C.1/54/L.40/Rev.1, and also on behalf of Ukraine, the United States of America, Croatia and the Czech Republic, I have the honour to introduce A/C.1/54/L.40/Rev.1 briefly and more technically.

Draft resolution A/C.1/54/L.40/Rev.1 has two important paragraphs, one of which is in the preambular part. There is a new ninth preambular paragraph, which reads as follows:

> "*Noting, inter alia,* the importance of the Process of Stability and Good-Neighbourliness in South-East Europe (Royamont initiative), the South-East European Cooperative Initiative, the South-East European Cooperation Process, the Central European Initiative and the Black Sea Economic Cooperation for the implementation of the Stability Pact of South-Eastern Europe".

This new preambular paragraph was inserted on the basis of intensive consultations and the wish of the sponsors to mention and underline the important initiatives in the Balkans which were taken before and which continue in South-Eastern Europe. In the context of this draft resolution, it was important to mention them as positive developments which I expect will have fruitful, positive results.

The second addition is the new operative paragraph 9, which reads as follows:

> "*Emphasizes* the importance of regional efforts in South-Eastern Europe on arms control, disarmament and confidence-building measures".

The aim of this paragraph is to strengthen all disarmament and confidence-building measures in South-Eastern Europe which are under way. In the context of this draft resolution, it is important to have them in mind because the achievement of the goals of this draft resolution cannot be

separated from efforts for disarmament and for undertaking various confidence-building and arms-control measures.

Without taking more of the Committee's time, I should like to express the opinion of the sponsors that the draft resolution is now complete and merits adoption by the Committee without a vote.

Before concluding, I should like to take this opportunity to thank most sincerely all sponsors and interested delegations that endeavoured to improve the original text, and I would also like to express the hope that the adoption of the draft resolution by the Committee, and later by the General Assembly, will be a positive action for our region.

Mr. Zimonyi (Hungary): Draft resolution A/C.1/54/L.19, on the biological and toxin weapons Convention, was introduced by my delegation on 22 October. At the request of one delegation, consultations have taken place since then with a view to accommodating its concerns in connection with operative paragraph 5. I am pleased to inform the Committee that these consultations have been conclusive and produced a mutually acceptable text. As a result, the phrase "as confirmed by the Fourth Review Conference" was added to the end of operative paragraph 5. With this minor amendment, the sponsors express the hope that draft resolution A/C.1/54/L.19/Rev.1 will be adopted without a vote.

Ms. Kunadi (India): The delegation of India has requested the floor to introduce revision 1 of draft resolution A/C.1/54/L.31, entitled "Reducing nuclear danger", which has been sponsored by Bhutan, Fiji, Kenya, Mauritius and the Sudan, as well as India.

Following consultations with delegations which had requested change in operative paragraph 4 to have more clarity, revision 1 was introduced on 2 November 1999. The only change is in operative paragraph 4, which in its revised version reads as follows:

> "*Requests* the Secretary-General, within existing resources, to seek inputs from the Advisory Board on Disarmament Matters on information with regard to specific measures that significantly reduce the risk of nuclear war and to report to the General Assembly at its fifty-fifth session".

Having taken on board the suggestions we have received from delegations, we hope that the Committee can proceed to take action on this draft resolution.

Mr. Khairat (Egypt) (*spoke in Arabic*): My delegation, on behalf of the States Members of the United Nations that are members of the League of Arab States, would like to introduce draft resolution A/C.1/54/L.8/Rev.1, entitled "The risk of nuclear proliferation in the Middle East", published as an official document yesterday. Following consultations on draft resolution A/C.1/54/L.8 with various interested delegations, this revised text, A/C.1/54/L.8/Rev.1, was submitted. The reference to nuclear materials in operative paragraph 1 has been deleted. As a result, the text is now in conformity with the text adopted last year by an absolute majority. We hope that draft resolution A/C.1/54/L.8/Rev.1 will be adopted this year by consensus, or at least by a majority larger than that by which the corresponding draft resolution was adopted last year.

Mr. Abdullayev (Russian Federation) (*spoke in Russian*): On behalf of the sponsors of draft resolution A/C.1/54/L.1/Rev.1, I would first like to thank all delegations for the patience and understanding they have shown in connection with the need to take more time than planned before the consideration of the draft resolution. I would now like to report that the sponsors are now ready for the draft resolution to be considered, and we request you, Mr. Chairman, to invite the Committee to consider draft resolution A/C.1/54/L.1/Rev.1.

Mr. Forquenot de la Forteile (France) (*spoke in French*): We submitted written amendments to draft resolution A/C.1/54/L.1/Rev.1 within the deadlines that you, Mr. Chairman, and the Secretary of the Committee laid down. We spoke to our Russian and Chinese friends earlier this morning. They would very much like the debate to take place today. After those consultations, I am not necessarily opposed to having the debate take place today if you, Mr. Chairman, believe that we could speed up the procedure this way.

However, since the amendments were distributed only a few minutes ago, I would wish to proceed, naturally, only if all the countries represented here clearly found themselves in a position to debate this draft resolution today. Before holding this debate, no delegation should feel the need to ask for more time to get instructions or to consult its capital. As you yourself said, Mr. Chairman, this is an important debate on an important subject. These are important amendments, and we therefore need to have consideration — and here I am more or less quoting you, Mr. Chairman — for all delegations, be they large or

small. This debate must take place in an atmosphere of order and not of confusion. We insist on that.

To sum up: I am ready to begin this debate on the condition that all countries here present agree that the debate is taking place in full clarity and with full information, not in confusion.

Mr. Salamanca Prado (Bolivia) (*spoke in Spanish*): We had clearly understood and agreed entirely with you, Mr. Chairman, when at the beginning of the discussion on cluster 1 you proposed that the amendments to the draft resolution be circulated so that delegations, such as mine, that are not in a position to decide on the spot on important amendments would have time to consult their capitals. That is why I suggest that we continue to act as you suggested at the beginning of the discussion on cluster 1.

Mr. De Icaza (Mexico) (*spoke in Spanish*): My delegation is confused. We have heard a great deal about debates on amendments and on draft resolutions. As I understand it, the debate wound up over a week ago. We are now in the stage of taking action on proposals, so now is the time for statements of a general nature, explanations of vote before the voting, explanations of vote after the voting. What we can no longer do is hold debates.

With regard to whether or not to take action on draft resolution A/C.1/54/L.1/Rev.1, the rules are straightforward: any delegation can ask for a postponement. If the sponsors do not agree to postpone action, a request for postponement is voted upon.

The Chairman (*spoke in Spanish*): I would like to express my agreement with what the delegations of Bolivia and Mexico have just said. To restate and clarify the position of the Chair, which is of course subject to what delegations decide: in respect of what Bolivia has said, the Chairman's proposal made at the beginning of the meeting was designed to protect to the utmost the rights of each and every delegation. I therefore understand very clearly the problems that a delegation such as Bolivia's might experience in terms of having to consult. But that is only the Chairman's position, which remains subject to the decision of delegations. I merely wish to emphasize that as Chairman my position has not changed.

As regards the comments made by the representative of Mexico, the time for debating has passed, and the Chair is completely aware of that fact. The representative of Mexico can rest assured that the only procedural matters can be taken up now are statements of a general nature on a given cluster, explanations of vote before the voting and explanations of vote after the voting. The time for general statements is over, I would be glad to see it was over for good so the First Committee could from here on out be taking action instead of making so many statements. In this session, the time for the general debate is well and truly over.

On the other hand, I understand what the representative of France wished to say. His name was on my list of speakers, and it is always an honour to hear what he has to say. He was referring to taking action.

Having now clarified the position of the Chair and the procedural rules that remain in force, I reiterate that the time for general statements is over, so I ask delegations not to ask to make general statements because the Chair will not entertain such requests.

I now call on the representative of the Russian Federation to speak on the matter before us.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I do not need to repeat yet again what we are doing here. We understand that perfectly well. I thank you for giving me the floor even after you had already stated your view. You said earlier this morning that 24 hours would be required so that the French amendments could be issued in all languages, and then that another 24 hours would be required before they could be voted on. Your first prediction did not turn out to be correct, because the amendments have already been distributed in all languages and the Secretariat has once again demonstrated that it can indeed work efficiently. I do not know who told you about the need to wait 24 hours before our efficient colleagues in the Secretariat could distribute two lines in all the official languages. In that sense, we have already made great progress here, procedurally speaking. I am speaking, of course, only about procedure.

Secondly, when I proposed on behalf of the sponsors that we return to draft resolution A/C.1/54/L.1/Rev.1, it was with only one goal in mind, out of respect for the delegation of France which distributed its amendment. Now there is a need for those amendments to be introduced. Otherwise, tomorrow somebody could say that the amendments have not yet been introduced. Therefore, in terms of procedure, I am proposing that you, Mr. Chairman, invite the delegation of France to introduce the amendments contained in document A/C.1/54/L.56, and after that we can then set the vote for tomorrow. I hope

that my comments come within the framework of procedure and have not touched on the substance of the issue.

The Chairman (*spoke in Spanish*): What the representative of the Russian Federation has said provides a good solution. If I hear no objection, I shall ask the representative of France to introduce his amendment.

Mr. Forquenot de la Fortelle (France) (*spoke in French*): Indeed, it is a perfectly reasonable solution that the introduction be made today and that the vote take place tomorrow, which will allow delegations to see the text and, having heard what I have to say, to consult their capitals if necessary or give thought to their vote tomorrow. I shall therefore make this brief introduction; this is not a general statement.

It is very well known that certain recent events in the area of ballistic missile proliferation were the basis for the decision taken by certain States to plan for programmes of anti-ballistic national defence. France, for its part, is seriously concerned by such ballistic proliferation and is actively participating in all efforts to combat such tendencies. France believes, however, that projects for anti-missile defence of territory are not an appropriate response. France believes that the preservation of the Anti-Ballistic Missile (ABM) Treaty and of the strategic balances that the Treaty maintains is of the greatest importance. In our view, the risks of ballistic proliferation do not justify calling into question the ABM Treaty, which remains the cornerstone of strategic stability.

For that reason, we share the point of view that it is timely for the General Assembly to reaffirm its support for the ABM Treaty. The treatment of this important question by the General Assembly requires, however, the adoption of a comprehensive and balanced approach. Therefore, we must see to it that the General Assembly expresses in a single text its dedication both to the ABM Treaty and to the prevention of ballistic proliferation.

That is the thrust of the amendment in document A/C.1/54/L.56, which we are proposing that the First Committee adopt.

Mr. Baeidi-Nejad (Islamic Republic of Iran): I wish to comment on draft resolution A/C.1/54/L.1/Rev.1 and the amendment suggested by the French delegation. The Committee received the amendment today, so in the course of today and tomorrow we can have consultations on the draft amendment suggested by the French delegation.

We share the main thrust of the French amendment. However, we think there is some room for improving the amendment. I do not have any specific language for the time being. Of course, the proliferation of weapons of mass destruction and their means of delivery has always been of real concern to the international community. However, we think that new developments have occurred in the context of disarmament and the expression of concern at the continued possession of weapons of mass destruction, so we will be in contact with the French delegation and some of our Non-Aligned Movement (NAM) colleagues to see if there is room for improving the amendment. We hope that we can successfully conclude the consultations. Most probably, the draft resolution can be voted on during the course of today, or tomorrow as was suggested.

The Chairman (*spoke in Spanish*): I thank the delegation of the Islamic Republic of Iran for its constructive spirit of cooperation. Of course, you have every right to carry out consultations on improvements to draft amendments, just as any other delegation does.

The Chairman (*spoke in Spanish*): I now call on those delegations wishing to make general comments on cluster 1.

Mr. Mesdoua (Algeria) (*spoke in French*): On behalf of the African Group, I have the honour to make the following statement.

Africa attaches particular importance to the draft resolution contained in document A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)". Africa has been submitting such draft resolutions to the Committee for several years now, and Africa deeply appreciates the fact that these drafts have always had the broadest possible support and have been adopted by consensus.

Since its signature on 11 April 1996, the Treaty of Pelindaba, which made Africa a nuclear-weapon-free zone, has enjoyed, and continues to enjoy, the support of the international community; the nuclear-weapon States signed the Protocols concerning them, and one of the nuclear-weapon States signed Protocol III. That is why Africa hopes to see the other States concerned that have not yet done so associate themselves with this broad movement of support.

As all delegations present here are aware, intensive consultations have taken place over the past few weeks to make it possible to achieve the broadest possible consensus,

not only on the text but also, above all, on all of its paragraphs. The African Group has tried everything — including deferring consideration of this item, which had initially been planned for last Monday, to today — in order to achieve general and complete agreement. Africa would have gladly asked for another postponement if it had seen the slightest sign of development of positions on this issue.

Despite the intensive efforts undertaken over the past few days it seems that one delegation, unfortunately, cannot join the consensus regarding operative paragraph 3, even though this paragraph is exactly the same as the paragraph in General Assembly resolution 52/46, adopted on 9 December 1997. The African Group believes that there is no major development justifying this position. Africa respects this position, but hopes that it will undergo positive development towards meeting the aspirations of the African States to make our continent, Africa, a zone that will be for ever free of nuclear weapons.

Mr. Khairat (Egypt): I want to make general statement on cluster 1 in connection with the draft resolution entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)", contained in document A/C.1/54/L.17.

The signing ceremony held in Cairo on 11 April 1996 marked the culmination of tireless African efforts to establish a nuclear-weapon-free zone in Africa, as it gave birth to the Pelindaba Treaty. This truly historic event represents a successful formulation of the commitment undertaken over 33 years ago, when the leaders of Africa, in July 1964 in Cairo, adopted at the first ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity the pioneering resolution which declared Africa a denuclearized zone.

We hoped that such genuine regional success would induce other regions to work sincerely towards the same end. In this vein, we recall that the Cairo Declaration adopted on that occasion emphasized that the establishment of a nuclear-weapon-free zone, especially in regions of tension such as the Middle East, enhances global and regional peace and security. Our strong determination in striving to establish a nuclear-weapon-free zone in the Middle East has been strengthened even further by this important achievement in the African continent. A nuclear-weapon-free zone in the Middle East would not only provide an important confidence-building measure among States of the region but would also enhance the security of Africa and the viability of the African nuclear-weapon-free zone.

Action on draft resolutions

The Chairman (*spoke in Spanish*): The Committee will now consider draft resolution A/C.1/54/L.17. Do any delegations wish to explain their position or vote before a decision is taken on draft resolution A/C.1/54/L.17?

I see none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)", was introduced by the representative of Burkina Faso on behalf of the States Members of the United Nations that are members of the Group of African States at the Committee's 19th meeting, on 29 October 1999.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.17 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.17 was adopted.

The Chairman (*spoke in Spanish*): I shall now call upon those delegations wishing to explain their positions on the draft resolution just adopted.

Ms. Menéndez (Spain) (*spoke in Spanish*): First, my delegation welcomes the adoption by consensus of draft resolution A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)". Spain has always believed that nuclear-weapon-free zones established on the basis of arrangements freely arrived at among the States of the region concerned constitute an extremely important contribution to strengthening the non-proliferation regime and to efforts leading to nuclear disarmament. More specifically, Spain has unequivocally demonstrated its support for the objectives of the Treaty of Pelindaba, which are a way to formalize the absence of nuclear weapons on the African continent, which is very close to ours, and we hope that the Treaty will enter quickly into force.

My delegation, however, wants the record to show that Spain does not consider itself to be associated with the consensus on operative paragraph 3 of the draft resolution just adopted because it has reservations regarding the content of that operative paragraph. As the report adopted

by consensus last spring at the substantive session of the Disarmament Commission spelled out, the guidelines regarding the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, each zone is the product of specific circumstances, and we must therefore take into account the diversity of situations existing within each region. Any nuclear-weapon-free zone must conform to a well-defined geographic region.

Thus, after having carefully considered the invitation extended to Spain to be a party to Protocol III of the Treaty of Pelindaba, Spain decided not to sign the Treaty. Had we done so, we would have been agreeing to the establishment of a redundant monitoring regime over parts of Spanish territory that could be deemed to be geographically a part of the zone and that are already subject to controls for all Spanish territory.

The parts of Spanish territory included in the designated geographical area of the Treaty are part of the European Union and are therefore involved in the process of political integration that the European Union represents. From the point of view of security, they belong to the area covered by the North Atlantic Treaty signed in Washington, the Treaty on Conventional Armed Forces in Europe (CFE) and the 1994 Vienna Document on confidence-building measures. They are therefore under the purview of the Organization for Security and Cooperation in Europe (OSCE). For all these reasons, those parts of Spanish territory cannot be included in the area contemplated in the African Nuclear-Weapon-Free Zone Treaty.

Spain's entire territory has been denuclearized since the Treaty of friendship, defence and cooperation was signed with the United States in 1976. The denuclearization of our territory was reiterated in bilateral agreements with the United States of America in 1982 and 1988. Therefore, non-acceptance of storage or installation of Atlantic Alliance nuclear weapons on Spanish territory was included in the authorization given to the Spanish Government by the Spanish Parliament for accession to the North Atlantic Treaty in October 1981. In the referendum held to decide on Spain's entry into the Alliance, the condition that nuclear weapons would not be installed, stored or introduced in Spanish territory was an important feature. There is no intention whatsoever of modifying this policy, as was reiterated in the context of our integration into the military structure of the North Atlantic Treaty Organization, effective 1 January 1999.

All of Spain's nuclear installations fall under the dual control of the International Atomic Energy Agency (IAEA) and the European Atomic Energy Community (EURATOM) in the framework of the general safeguards agreement between European Union non-nuclear-weapon countries and the IAEA. Spain, along with those other European Union countries, has also signed the Additional Protocol to the general safeguards agreement. On 7 May 1999 the Spanish Government approved the *ad referendum* signing of the Additional Protocol for submission to the Spanish Parliament. The process of ratification is well under way and might be finalized before the end of the year.

Spain has ratified the Comprehensive Nuclear-Test-Ban Treaty and is a party to the Convention on the Physical Protection of Nuclear Material and the Convention on Nuclear Safety. It applies all the recommendations on nuclear material contained in IAEA document INFCIRC/225/Rev.4.

Therefore, Spain has undertaken and is already fulfilling a number of commitments that go beyond those contained in the Treaty of Pelindaba and is subject to a system of inspection by both the IAEA and EURATOM. As soon as the Additional Protocol on safeguards comes into force among the 13 non-nuclear-weapon States of the European Union, the safeguards system applied in Spain will exceed the safeguards system established under the Treaty of Pelindaba.

Finally, I should like to point out that my country has the honour of contributing to the IAEA's African Regional Cooperation Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) project, which funds peaceful applications of nuclear energy in Africa.

We listened with the greatest interest to the statement made by the representative of Algeria on behalf of the African Group. My delegation is of course always prepared to listen with the greatest interest to what any delegation has to say, all the more in the case of a friendly country such as Algeria and the African countries generally. I merely wish to say that throughout the negotiations held in recent weeks my delegations has acted in the same constructive spirit as our African counterparts. We continuously kept them abreast of developments in our position and informed them that we intended to dissociate ourselves from operative paragraph 3. Thus, I would say respectfully that the statement made by the representative

of Algeria was a reply *ex ante* to our explanation of position.

Ms. Kunadi (India): My delegation wishes to state its position on the nuclear-weapon-free zone in Africa. We respect the sovereign choice exercised by non-nuclear-weapon States in establishing nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned. This year the Disarmament Commission adopted consensus guidelines on nuclear-weapon-free zones and reaffirmed this principle.

In this context, India has noted the commendable efforts undertaken by the States of Africa which resulted in the Pelindaba Treaty. We remain willing to respond to the express need for commitments for the early realization of the objectives of the nuclear-weapon-free zone in Africa.

Mr. Becher (Israel): Israel joined the consensus on draft resolution A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)", as the draft resolution in general reflects Israel's position on nuclear-weapon-free zones. In our view, a regional nuclear-weapon-free zone should emanate only from within the region concerned and thus should be supported by all States of the region concerned. Such a zone can never be imposed on regional parties.

It is unfortunate that in the draft resolution references to the Middle East are made in two preambular paragraphs. Mentioning a region which has no relevance whatsoever to the title of this draft resolution is in itself a clear contradiction of the basis core principle that the establishment of a nuclear-weapon-free zone is to be based on mutual regional understandings and arrangements freely arrived at among all States of the region concerned. Israel therefore dissociates itself from the references to the Middle East that are mentioned in the draft resolution.

The Chairman (*spoke in Spanish*): The Committee will now take action on draft resolution A/C.1/54/L.31/Rev.1. Does any delegation wish to explain its position or vote before a decision is taken?

There appear to be none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.31/Rev.1, entitled "Reducing nuclear danger", was introduced by the representative of India at the Committee's 17th meeting, on 27 October 1999. The sponsors of the draft resolution are listed in the draft resolution itself and in document A/C.1/54/INF/2.

A recorded vote was taken.

In favour:

Algeria, Angola, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Belarus, Brazil, China, Georgia, Israel, Japan, Kazakhstan, Republic of Korea, San Marino, Solomon Islands, Ukraine, Uzbekistan

Draft resolution A/C.1/54/L.31/Rev.1 was adopted by 90 votes to 42, with 14 abstentions.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its vote or position on the draft resolution just adopted? There appear to be none. The Committee has thus concluded its consideration of draft resolution A/C.1/54/L.31/Rev.1.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.33. Do any representatives wish to explain their position or vote before a decision is taken? There appear to be none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.33, entitled "Convention on the Prohibition of the Use of Nuclear Weapons", was introduced by the representative of India at the Committee's 15th meeting, on 25 October 1999. The sponsors of the draft resolution are listed in document A/C.1/54/L.33.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Azerbaijan, Belarus, China, Cyprus, Georgia, Israel, Japan, Kazakhstan, Republic of Korea, Republic of Moldova, Russian Federation, San Marino, Solomon Islands, Turkmenistan, Ukraine, Uzbekistan

Draft resolution A/C.1/54/L.33 was adopted by 89 votes to 40, with 18 abstentions.

The Chairman (*spoke in Spanish*): I shall now call on those representatives who wish to explain their votes or positions.

Mr. Grey (United States of America): As we do each year on this subject, the United States voted "no" on draft resolution A/C.1/54/L.33, entitled "Convention on the Prohibition of the Use of Nuclear Weapons". The United States would never, notwithstanding our commitment to nuclear disarmament, negotiate, approve or sign a convention of the type called for in draft resolution A/C.1/54/L.33. Such a convention is simply not a practical approach to the ultimate goal of nuclear disarmament.

Considerable progress towards that goal has been achieved to date through a realistic, step-by-step process that embraces bilateral, unilateral and multilateral measures. My delegation is convinced that this is the surest road to further progress in the years ahead. The United States has no intention of detouring down the dead-end approach that draft resolution A/C.1/54/L.33 represents.

Mr. Hayashi (Japan): I should like to explain Japan's abstention in the voting on the draft resolution contained in document A/C.1/54/L.33, entitled "Convention on the Prohibition of the Use of Nuclear Weapons".

Japan, which has had the sorrowful experience of atomic bombings, fervently desires that the use of nuclear weapons, which causes incomparable human suffering, will never be repeated. Japan firmly believes that continuous efforts should be made to achieve a world free of nuclear weapons. Having said that, as far as draft resolution A/C.1/54/L.33 is concerned, I should like to state Japan's conviction that the only way for us to realize a world free

of nuclear weapons, in the present international reality, is to achieve steady, step-by-step progress in nuclear non-proliferation and nuclear disarmament. For that purpose we attach particular importance to the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and renewed and collective efforts by the international community to that end; the early conclusion of the negotiations on a fissile material cut-off treaty; progress in the START process; concrete efforts made by the five nuclear-weapon States for nuclear disarmament; discussions on multilateral steps following a fissile material cut-off treaty; and the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons regime.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/54/L.34. I call first on those delegations wishing to explain their position or vote before a decision is taken.

Mr. Al-Ahmed (Saudi Arabia) (*spoke in Arabic*): Saudi Arabia wishes to emphasize the importance of nuclear-weapon-free zones for strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime and efforts for the complete elimination of nuclear weapons and the establishment of a nuclear-weapon-free world. Therefore, my delegation would like to join the sponsors of draft resolution A/C.1/54/L.34.

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.34, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas", was introduced by the representative of Brazil at the Committee's 19th, meeting on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.34 are contained in the draft resolution itself and in document A/C.1/54/INF/2. Jamaica has also become a sponsor of the draft resolution.

The Committee will now proceed to the vote on draft resolution A/C.1/54/L.34.

A request has been made for a separate vote on the last three words of operative paragraph 3, "and South Asia". If a majority of the vote is in favour, those three words will remain. If the majority is opposed, those words will be deleted. I hope that is clear.

The Committee will now vote on the last three words of operative paragraph 3 of draft resolution A/C.1/54/L.34, "and South Asia".

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Yemen, Zambia, Zimbabwe

Against:

India

Abstaining:

Bhutan, Cuba, Cyprus, Israel, Mauritius, Micronesia (Federated States of), Myanmar, Pakistan, United Kingdom of Great Britain and Northern Ireland, United States of America

The last three words of operative paragraph 3 of draft resolution A/C.1/54/L.34 were retained by 128 votes to 1, with 10 abstentions.

The Chairman (*spoke in Spanish*): The Committee will now vote on operative paragraph 3 of draft resolution A/C.1/54/L.34 as a whole.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zambia, Zimbabwe

Against:

India

Abstaining:

Bhutan, Cuba, Cyprus, Israel, Mauritius, Micronesia (Federated States of), Myanmar, Pakistan, United Kingdom of Great Britain and Northern Ireland, United States of America

Operative paragraph 3, as a whole, of draft resolution A/C.1/54/L.34 was retained by 128 votes to 1, with 10 abstentions.

The Chairman (*spoke in Spanish*): Operative paragraph 3 has been retained in draft resolution A/C.1/54/L.34. The Committee will now vote on draft resolution A/C.1/54/L.34 as a whole.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

India, Israel, Micronesia (Federated States of), Russian Federation, Uzbekistan

Draft resolution A/C.1/54/L.34, as a whole, was adopted by 136 votes to 3, with 5 abstentions.

[Subsequently, the delegation of Uzbekistan informed the Secretariat that it had intended to vote in favour.]

The Chairman (*spoke in Spanish*): I now call on those delegations wishing to explain their vote or position on the draft resolution just adopted.

Mr. Grey (United States of America): I have asked for the floor on behalf of France, the United Kingdom and the United States to explain our position on draft resolution A/C.1/54/L.34, on the so-called "Nuclear-weapon-free southern hemisphere and adjacent areas". Our three delegations voted "no" on the draft resolution on this subject once again since, despite continuous consultation and work with the sponsors of the draft resolution, it remains unacceptably vague with regard to our concerns regarding maritime rights of free passage on the high seas. This year the sponsors refused to make any changes at all in the draft resolution, adding to our suspicion that the real interest of the draft resolution is, for some of the sponsors, to lay the basis for a new norm which seeks to restrict such freedoms under certain circumstances.

Mentioning the Convention on the Law of the Sea in the context of the draft resolution, while a positive step, does nothing to alleviate our concerns, since the applicable passages of the Convention are not cited or explicitly applied to the appropriate operative paragraphs of this draft resolution. We believe that the failure of the sponsors to take our concerns properly into account is prima facie evidence of the intent of at least some of the sponsors to limit freedom of the seas. In this regard, there has never been an adequate explanation for the refusal of the sponsors to make the text unambiguous on this point. Without explicit assurances which protect this fundamental freedom, our Governments cannot support this draft resolution.

I wish to emphasize that our vote on this draft resolution should in no way be interpreted as calling into question our firm commitment to the Treaties of Tlatelolco, Rarotonga, Pelindaba and the Antarctic. Nor do we have objections in principle to the establishment of new nuclear-weapon-free zones, which can make an important contribution to both regional and global security provided that they are supported by all States in the region concerned and are embodied in appropriate treaties that include provisions for full-scope International Atomic Energy Agency safeguards.

Mr. Wang Xiaolin (China) (*spoke in Chinese*): China has consistently been in favour of and supported efforts by the countries concerned to establish nuclear-weapon-free zones through voluntary consultations and voluntary agreements. On the basis of this position, China signed and ratified the protocols relating to the Treaties of Tlatelolco, Pelindaba, Rarotonga and the Antarctic. China's consultations with South-East Asian countries concerning the Bangkok Treaty achieved results. China would like as soon as possible to sign the Protocol to that Treaty, which was revised in accordance with the agreed plan.

China is of the view that the establishment of nuclear-weapon-free zones is of great significance for giving impetus to nuclear disarmament, preventing nuclear proliferation and promoting world and regional peace and security. At the same time, treaties on nuclear-weapon-free zones should be consistent with the purposes and principles of the United Nations Charter and with the universally recognized norms of international law. The extent of nuclear-weapon-free zones should not include the continental shelf and the exclusive economic zone, nor should it include areas that are the subject of disputes, with countries outside the zone, regarding territorial sovereignty and maritime rights and interests. The participants in these zones should not fail to carry out the relevant obligations under any pretext, including that of being a member of a military alliance.

The Chinese delegation has noted that draft resolution A/C.1/54/L.34, just adopted, recalls in its sixth preambular paragraph,

> "the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea".

It is our understanding that the draft resolution does not seek to add any new legal obligations apart from those provided for in the existing nuclear-weapon-free zones concerned.

On the basis of the above position and understanding, the Chinese delegation voted in favour of draft resolution A/C.1/54/L.34.

Ms. Kunadi (India): My delegation wishes to explain its vote with regard to operative paragraph 3 of draft resolution A/C.1/54/L.34, which refers to the establishment of a nuclear-weapon-free zone in South Asia.

This proposal goes contrary to the well-established principles regarding the establishment of nuclear-weapon-

free zones to the effect that these zones must be established on the basis of arrangements freely arrived at among the States of the region concerned. This year the Disarmament Commission, by consensus, reaffirmed this principle.

There is no consensus on the establishment of a nuclear-weapon-free zone in South Asia. There is thus a contradiction in operative paragraph 3. This contradiction becomes even more apparent when the reference to a nuclear-weapon-free zone in South Asia is seen in the context of recent developments. In fact, if the sponsors of the draft resolution wish to maintain any semblance of a relation to reality, the draft resolution should explore ways and means of relating the nuclear-weapon-free zones in the southern hemisphere to the new realities in South Asia. India will be responsive to the express need for commitments from these nuclear-weapon-free zones. As we stated last year, pursuing the proposal for a nuclear-weapon-free zone in South Asia has as much validity as would the pursuit of nuclear-weapon-free zones in East Asia, Western Europe or North America. Given the distortions and contradictions in operative paragraph 3, we voted against that paragraph while abstaining on the draft resolution as a whole.

Mr. Shafqat Ali Khan (Pakistan): My delegation wishes to explain its vote on the draft resolution dealing with the establishment of a nuclear-weapon-free zone in the southern hemisphere.

My delegation asked for a separate vote on the three words in operative paragraph 3, "and South Asia", and abstained in the voting on those three words. My delegation also abstained in the voting on operative paragraph 3 as a whole, although it voted in favour of the draft resolution as a whole.

For more than 30 years Pakistan has advocated the need for the establishment of a nuclear-weapon-free zone in South Asia. We believe this approach and this route could prevent a nuclear conflagration in South Asia. But our proposal collapsed because of the events of May last year. We feel that in the light of new realities, when the region has become nuclearized, the concept of a nuclear-weapon-free zone cannot be applied to this region any more.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/54/L.35.

Does any delegation wish to explain its position or vote before a decision is taken? I see none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.35, entitled "Establishment of a nuclear-weapon-free zone in Central Asia", was introduced by the representative of Uzbekistan at the Committee's 21st meeting, on 1 November 1999.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.35 have expressed the wish that it be adopted by the Committee without a vote.

If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.35 was adopted.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its position on the draft resolution just adopted?

As there appear to be none, the Committee will now proceed to take action on draft resolution A/C.1/54/L.43.

I now call upon those representatives wishing to explain their position or vote before a decision is taken on draft resolution A/C.1/54/L.43.

Mr. Coutts (Chile) (*spoke in Spanish*): Chile attaches a great deal of importance to international law and, in that context, to the advisory opinions of the International Court of Justice. Thus, in relation to the matter before us, we feel that a solid, commanding doctrinal basis is to be found in the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*.

We should recall a number of elements taken into account by the Court. First, unanimously, the Court stated that there is no specific authorization either in international law or in treaties for resort to the threat or use of nuclear weapons.

Secondly, and again unanimously, the Court found that the threat or use of nuclear weapons must be compatible with the provisions of international law applicable to armed conflict, particularly the principles and norms of international humanitarian law, with the concrete obligations undertaken by virtue of treaties and with other commitments relating to nuclear weapons.

Thirdly, again unanimously, the Court found that there is an obligation to undertake in good faith and conclude

negotiations on all aspects of nuclear disarmament under strict international control. Obviously, because of their devastating effects and long range, the use of nuclear weapons can do tremendous damage. That is why there is a linkage between disarmament law and international humanitarian law. We should further bear in mind that according to international law and the provisions of Article 1, *inter alia*, of the United Nations Charter, it is a binding obligation of the international community to maintain international peace and security. To this end, all threat or use of these weapons must be prohibited, for they are a cause of great instability.

Furthermore, the mere possession of these weapons in situations of great hostility can be construed as a threat of the use of force. This is prohibited by Article 2, paragraph 4, of the Charter and article 52 of the Vienna Convention on the Law of Treaties, which confers upon this matter the status of *jus cogens*, or binding obligation that cannot be derogated.

From a purely operational point of view, this draft resolution calls for preventive diplomacy, in keeping with the times, that can create the necessary political frameworks and consolidate political efforts to prevent damaging and irreversible impacts on relations among all the States of the world. Thus, Chile emphatically considers that the advisory opinion of the International Court of Justice is undoubtedly a conceptual frame of reference that cannot be ignored in the effort to build avenues of cooperation based on confidence rather than on the threat of a confrontation that would have a catastrophic effect on all humankind.

Mr. Soutar (United Kingdom): The United Kingdom is committed to the goal of the global elimination of nuclear weapons. We have given this commitment practical expression in the national steps announced following our strategic defence review. We have repeatedly made it clear that, when satisfied with verified progress towards our goal, we will ensure that British nuclear weapons are included in multilateral negotiations.

We welcome the recognition of the importance of obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, including the nuclear-weapon States' obligation on nuclear disarmament, by the International Court of Justice's advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*, but given that the draft resolution contains highly selective quotations from the Court's advisory opinion, the United Kingdom will abstain in the voting on operative paragraph 1 of draft resolution A/C.1/54/L.43.

In view of this selectivity and on account of the unrealistic call in operative paragraph 2 for multilateral negotiations in 2000 leading to an early conclusion of a nuclear-weapons convention, the United Kingdom will vote against the draft resolution as a whole.

Mr. Benítez Verson (Cuba) (*spoke in Spanish*): As it has done in the case of similar draft resolutions in the past, Cuba will again vote in favour of draft resolution A/C.1/54/L.43.

More than three years have passed since the International Court of Justice announced its historic advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*. Regrettably, and essentially as a result of the lack of political will of certain nuclear Powers, none of the conclusions of the Court have led to concrete action, including the legal obligation to carry out in good faith and conclude negotiations on nuclear disarmament in all its aspects under strict and effective international control.

In keeping with the importance attached by Cuba to this initiative, this year my country referred a great deal of information to the Secretary-General on efforts made to implement the draft resolution and advance towards nuclear disarmament. In formally introducing the draft resolution to the First Committee on 29 October, the Permanent Representative of Malaysia gave excellent and convincing responses to some of the queries raised by delegations in connection with this text. We hope that his explanations have increased the already broad support traditionally enjoyed by draft resolutions on this subject.

Mr. Al-Ahmed (Saudi Arabia) (*spoke in Arabic*): Because of Saudi Arabia's belief that the continued presence of nuclear weapons constitutes a threat to all humanity, and as a reaffirmation of the advisory opinion of the International Court of Justice of 8 July 1996, my delegation wishes to join the list of sponsors of draft resolution A/C.1/54/L.43.

The Chairman (*spoke in Spanish*): The Committee will now take action on draft resolution A/C.1/54/L.43. I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.43, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*", was

introduced by the representative of Malaysia at the Committee's 19th meeting, on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.43 are listed in the draft resolution itself and in document A/C.1/54/INF/2. The following countries have also become sponsors of the draft resolution: Bolivia and El Salvador.

A request has been made for separate votes on operative paragraphs 1 and 2.

The Committee will now vote on operative paragraph 1 of draft resolution A/C.1/54/L.43.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Russian Federation, United States of America

Abstaining:

Bulgaria, Israel, United Kingdom of Great Britain and Northern Ireland

Operative paragraph 1 of draft resolution A/C.1/54/L.43 was retained by 137 votes to 2, with 3 abstentions.

Mr. Lin Kuo-chung (Secretary of the Committee): The Committee will now vote on operative paragraph 2 of draft resolution A/C.1/54/L.43.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Georgia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Belgium, Bulgaria, Canada, Denmark, Estonia, Germany, Greece, Hungary, Iceland, Israel, Italy, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United States of America

Abstaining:

Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina,

Croatia, Cyprus, Czech Republic, Finland, Ireland, Japan, Kazakhstan, Latvia, Liechtenstein, Malta, Republic of Korea, Republic of Moldova, Sweden, Turkmenistan

Operative paragraph 2 of draft resolution A/C.1/54/L.43 was retained by 94 votes to 25, with 22 abstentions.

[Subsequently, the delegation of the United Kingdom of Great Britain and Northern Ireland informed the Secretariat that it had intended to vote against.]

Mr. Lin Kuc-chung (Secretary of the Committee): The Committee will now vote on draft resolution A/C.1/54/L.43 as a whole.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Finland, Georgia, Iceland, Japan, Kazakhstan, Liechtenstein, Norway, Republic of Korea, Republic of Moldova, the former Yugoslav Republic of Macedonia, Turkmenistan, Uzbekistan

Draft resolution A/C.1/54/L.43, as a whole, was adopted by 98 votes to 27, with 21 abstentions.

The Chairman (*spoke in Spanish*): I shall now call on those representatives who wish to explain their votes or positions.

Mr. Grey (United States of America): As it does each year in voting on this subject, the United States voted "no" on draft resolution A/C.1/54/L.43, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*", as well as in the separate votes on paragraphs.

This draft resolution employs the 1996 advisory opinion of the International Court of Justice as a justification to repeat calls made in other resolutions for immediate multilateral negotiations on the time-bound elimination of nuclear weapons. The United States position on this matter has not changed. We oppose this idea because we remain unconvinced that the step-by-step process which is under way encompasses unilateral, bilateral and multilateral efforts and is yielding significant concrete results in the area of nuclear disarmament. This step-by-step process remains, for the time being, the only realistic approach in this highly complex field.

As ongoing unilateral and bilateral efforts continue to make real progress in reducing nuclear weapons, a multilateral role can be played. The long-awaited negotiations in the Conference on Disarmament on the fissile material cut-off treaty should resume in January 2000. Such an agreement is a key element of the international community's nuclear disarmament and non-proliferation objectives. It would be unfortunate if this next logical multilateral step in the nuclear disarmament process were delayed any further. In this context, I find it puzzling that draft resolution A/C.1/54/L.43 makes not one express

mention of the fissile material cut-off treaty, especially since the draft resolution's chief sponsor is one of the newest members of the Conference on Disarmament and has signalled its readiness to commence work on this important treaty.

Draft resolution A/C.1/54/L.43 is deficient in another way. It mischaracterizes article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the document on NPT principles and objectives, which are selectively quoted in the fourth and fifth preambular paragraphs, by omitting crucial references to general and complete disarmament. This omission distorts the article VI obligation in ways that would appear to relieve non-nuclear-weapon States of any disarmament responsibilities. Reference in the thirteenth preambular paragraph and operative paragraphs 1 and 2 to the International Court of Justice's advisory opinion attempt to turn it into a legal edict that requires immediate negotiations and their rapid conclusion in a multilateral forum.

Let me be frank. The International Court of Justice's advisory opinion is simply not binding. In any case, draft resolution A/C.1/54/L.43 misrepresents and distorts its findings. The United States takes very seriously its NPT article VI obligations and reaffirmed them in the context of the 1995 extension of the NPT. The Court's statement that there exists an obligation to bring to a conclusion negotiations on nuclear disarmament does not alter the substance of the article VI duty in any way, since the responsibility to pursue negotiations in good faith inherently involves seeking a successful conclusion to negotiations.

Mr. Lint (Belgium) (*spoke in French*): It is my honour to speak on behalf of the three Benelux countries — Belgium, the Netherlands and Luxembourg — as well as Spain and Greece, regarding the voting on draft resolution A/C.1/54/L.43.

As my delegation has said in past years with regard to the voting on draft resolutions on the same subject, the Benelux countries, Spain and Greece attach great importance to the advisory opinion of the International Court of Justice and have considered it with great attention. But our five countries do not believe that they are authorized to engage in a selective reading of it. The advisory opinion of the Court is a whole that cannot be reduced to the single paragraph reproduced in the draft resolution. The advisory opinion remains indivisible. To select from one paragraph or another from the advisory opinion can only destroy the balance of that whole and wipe out the valuable contribution that the International Court of Justice has provided.

In that spirit, our five countries voted against the draft resolution which, selectively misuses the opinion of the Court.

Mr. Hayashi (Japan): I would like to explain Japan's abstention in the voting on the draft resolution contained in document A/C.1/54/L.43, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

As I said earlier, in order not to repeat the tragic experience of the use of nuclear weapons, continuous efforts should be made towards a world free of nuclear weapons. Japan believes that because of their immense power to cause destruction, death and injury to human beings, the use of nuclear weapons is clearly contrary to the basic humanitarianism which gives international law its philosophical foundation.

Indeed, the advisory opinion of the International Court of Justice which this draft resolution addresses demonstrates the complexity of the subject. Japan supports the unanimous opinion of the judges of the Court on the existing obligation under international law to pursue nuclear disarmament and to conclude negotiations on that matter in good faith. Japan firmly believes that we must take concrete measures to achieve steady, step-by-step progress in nuclear non-proliferation and disarmament. From this point of view, Japan believes that priority should be given to bringing the Comprehensive Nuclear-Test-Ban Treaty into force as soon as possible; to commencing and concluding the negotiations on a fissile material cut-off treaty; and to commencing multilateral discussions on possible steps that should follow a fissile material cut-off treaty.

In Japan's view, we should pursue such practical steps with intensity rather than rushing to commence negotiations in the year 2000 — which will begin in two months — leading to a nuclear-weapons convention.

Mr. Seibert (Germany): Germany wishes to explain its vote on draft resolution A/C.1/54/L.43, on the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*.

Germany welcomes the commitment to nuclear disarmament with the goal of the complete elimination of nuclear weapons expressed in the draft resolution. Germany observes with concern the stalling of the process of nuclear

disarmament, as shown by the controversies over the Comprehensive Nuclear-Test-Ban Treaty and the Anti-Ballistic Missile Treaty. The German Federal Government cannot, however, support the draft resolution, being of the conviction that the objective of complete nuclear disarmament cannot be achieved by the course proposed in it, but only through a step-by-step process.

The Chairman (*spoke in Spanish*): The Committee will now move on to cluster 2. Does any delegation wish to make a general statement on the draft resolutions contained in cluster 2? There appear to be none.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.19/Rev.1. Does any delegation wish to explain its position or vote before a decision is taken?

Mr. Bold (Mongolia): Mongolia wishes to co-sponsor draft resolution A/C.1/54/L.19/Rev.1, on the Biological Weapons Convention. We are firm advocates of strengthening that Convention. In recent years we have co-sponsored similar draft resolutions, and we intend to do so again this year.

Mr. Boisson (Monaco) (*spoke in French*): I have exactly the same intention, namely, to request that Monaco be inscribed on the list of sponsors of this important draft resolution, A/C.1/54/L.19/Rev.1.

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.19/Rev.1, entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction", was introduced by the representative of Hungary at the Committee's 14th meeting, on 22 October 1999. The sponsors of draft resolution A/C.1/54/L.19/Rev.1 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have also become sponsors of the draft resolution: Chile, Haiti, the Russian Federation, Armenia, the Islamic Republic of Iran, Mongolia and Monaco.

In connection with this draft resolution, on behalf of the Secretary-General, I would like to make the following statement:

"By operative paragraph 5 of draft resolution A/C.1/54/L.19/Rev.1, the General Assembly would request the Secretary-General

> 'to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences as well as the decisions contained in the final report of the 1994 Special Conference, including all necessary assistance to the Ad Hoc Group and the special conference that is to consider the report of the Ad Hoc Group, in accordance with its mandate, as confirmed by the Fourth Review Conference'.

"It should be noted that the Review Conferences and the special Conferences are conferences of States parties to the Convention. As was the case in the past, conferences on multilateral disarmament treaties, such as the Sea-Bed Treaty and the Environmental Modification Convention (EMOD), include in their rules of procedure provisions concerning the arrangements for meeting the costs of the conference, including the sessions of the preparatory committees. Under those arrangements, no additional cost was borne by the regular budget of the Organization.

"Accordingly, the Secretary-General considers that his mandate under draft resolution A/C.1/54/L.19/Rev.1 to render the necessary assistance and required services for the implementation of the decisions and recommendations of the Review Conferences and the special conference has no financial implications for the regular budget of the United Nations and that the associated costs will be met in accordance with the financial arrangements to be made by the Conference of the States parties to the Convention.

"The Committee's attention is drawn to the established practice that all activities related to international conventions or treaties which, under their respective legal instruments, are to be financed outside the regular budget of the United Nations may only be undertaken when sufficient resources to cover the activities in question have been received from the State parties in advance."

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.19/Rev.1 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.19/Rev.1 was adopted.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its position on the draft resolution just adopted? There appear to be none.

The Committee will now move on to cluster 4. I now call on delegations wishing to make general statements on cluster 4.

As there appear to be none, the Committee will now proceed to take action on draft resolution A/C.1/54/L.25.

Does any delegation wish to explain its position or vote before a decision is taken on draft resolution A/C.1/54/L.25?

There being none, the Committee will now take action on the draft resolution.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.25, entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them", was introduced by the representative of Mali at the Committee's 18th meeting, on 28 October 1999. The sponsors of draft resolution A/C.1/54/L.25 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have become sponsors of the draft resolution: Burkina Faso, Haiti, Jamaica and Madagascar.

Mr. Boisson (Monaco) (*spoke in French*): I want to say that my delegation also wishes to become a sponsor of draft resolution A/C.1/54/L.25.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.25 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.25 was adopted.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its position on the draft resolution just adopted? There appear to be none.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.52. I shall first call on those representatives wishing to explain their position or vote before a decision is taken.

Mr. Forquenot de la Forteile (France) (*spoke in French*): For several years now the First Committee has shown its solidarity with the victims of anti-personnel mines by adopting several draft resolutions aimed at the elimination of such weapons.

This year once again the First Committee will be considering two draft resolutions dealing with this question, one of them introduced by Mozambique, regarding the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and the other by Sweden, concerning the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. France will support both these draft resolutions by co-sponsoring them.

France attaches particular importance to the question of the total elimination of anti-personnel mines. France's dedication to this cause was illustrated in 1993 when the French Government requested the beginning of the negotiations that led to the conclusion in 1996 of amended Protocol II, on mines, booby traps and other explosive devices.

That commitment was also demonstrated during the negotiations on the Ottawa Convention, during which France came out in favour of a full and effective ban, proposed the establishment of universal verification procedures and recalled the need for sustained dialogue with all States that own or use anti-personnel mines.

The nature of this commitment has not changed since the conclusion of the Ottawa Convention, and France — being among the first 40 States to have ratified that Convention, by adopting on 8 July 1998 legislation for its application, by establishing a national commission for the elimination of anti-personnel mines that is open to civil society, by proceeding to the destruction of its stocks of anti-personnel mines and, finally, by actively participating in the follow-up process to the implementation of the Convention agreed upon during the First Meeting of States

Parties in Maputo — is contributing to strengthening through specific measures the force of this instrument.

Moreover, we continue to believe that to be truly effective the total ban laid down by the Ottawa Convention must be universal. Obviously, we regret that some States have not been in a position to associate themselves with the movement in favour of a total ban and remain outside the Ottawa Convention. This situation, however, is a fact and it would be irresponsible to pretend that it did not exist.

Among those States that have indicated that they are not able here and now to accede to a full ban, some have nevertheless expressed their will to contribute to the elimination of anti-personnel mines and their support for the objective of a world free of such mines. Rather than hurling epithets at each other or being complacent over the present situation, we believe it is in the interests of all to face up to the reality of these declarations and to ask those States to take new steps in the right direction. Only the proponents of intransigence can win at the game of all or nothing.

It is in that spirit, and because the ban on transfers, already implemented partially or fully by some States, had been understood as a rather simple measure that did not affect the security of States, that France had hoped that the General Assembly would ask States to take measures in this field. It was also in the spirit of openness and dialogue that, during our repeated contacts with numerous delegations involved in the campaign against anti-personnel mines we demonstrated the greatest possible flexibility by submitting various types of proposals, integrating those of our interlocutors and trying above all to give pride of place to pragmatic solutions beyond the principled positions of the parties.

We regret that despite the significant contributions of some delegations, all States have not demonstrated the same requisite flexibility or spirit of realism; some have placed tactical considerations above the shared goal of a world free of anti-personnel mines and, above all, it must be emphasized, above the interests of the victims. Still others, at a time when more than 130 States have committed themselves to a total ban on anti-personnel mines, have refused to undertake any new commitment, even one that is considerably below the level of the obligations of the Ottawa Convention.

This year too, therefore, beyond the traditional draft resolutions on strengthening existing multilateral resolutions, and which we obviously will be supporting, there are no resolutions asking those States that are not bound by these instruments to take specific measures to contribute to the elimination of anti-personnel mines. We regret that this year it has not been possible to recommend any new measures contributing to the achievement of effective progress towards a total and universal ban on anti-personnel mines.

Despite my disappointment at not being able to see this message stated in one loud and clear voice by the General Assembly, I would like, in conclusion, to call upon all States that have not yet subscribed to the total ban on anti-personnel mines to do so soon and to immediately take all necessary measures to implement an effective and permanent ban on transfers of all anti-personnel mines.

The Chairman (*spoke in Spanish*): I would like to remind the representative of France and other delegations that the Bureau has shown a measure of flexibility that should not constitute a precedent, because under the rules of procedure sponsors may not take the floor before action is taken on a draft resolution. With that understanding we shall continue our work.

Mr. Estévez López (Guatemala) (*spoke in Spanish*): I would ask that the name of Guatemala be added to the list of sponsors of draft resolution A/C.1/54/L.52.

The Chairman (*spoke in Spanish*): Does any other delegation wish to explain its position or vote before a decision is taken?

There appear to be none. I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/54/L.52, entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects", was introduced by the representative of Sweden at the Committee's 19th meeting, on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.52 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have also become sponsors of the draft resolution: Bolivia, El Salvador, Guatemala and Haiti.

In connection with this draft resolution, a note by the Secretariat is contained in document A/C.1/54/L.54.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.52 have strongly urged the Committee to adopt the draft resolution without a vote. May I take it that the Committee supports that recommendation?

Draft resolution A/C.1/54/L.52 was adopted.

The Chairman (*spoke in Spanish*): I call now on those delegations wishing to explain their positions on the draft resolution just adopted.

Mr. Benítez Verson (Cuba) (*spoke in Spanish*): I simply wish to say that Cuba supported draft resolution A/C.1/54/L.52, just adopted without a vote, because Cuba considers it a matter of the greatest importance that the Committee be able to send a clear political signal about the importance it attaches to the Convention on Certain Conventional Weapons, and in particular amended Protocol II. In our opinion, amended Protocol II is potentially the most effective instrument available to the international community for the sake of resolving the humanitarian problems caused by the indiscriminate and irresponsible use of anti-personnel mines.

The main efforts in this field should be directed specifically towards promoting universal adherence to the Protocol, which is the only universal instrument currently available, since, unlike others, it takes into consideration the legitimate security concerns of States.

Finally, Cuba, through its relevant domestic procedures, is continuing to consider the possibility acceding in due course to amended Protocol II, on Prohibitions or Restrictions of the Use of Mines, Booby Traps and Other Devices.

Mr. Becher (Israel): Israel joined the consensus on draft resolution A/C.1/54/L.52. Israel ratified the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW) in March 1995 by ratifying both Protocol I and Protocol II of the Convention. Israel also participated in the Review Conference which amended Protocol II of the Convention and adopted Protocol IV, on Blinding Laser Weapons. We are now in the final process of ratifying amended Protocol II, on landmines, and the new Protocol on blinding lasers.

In this context, Israel will participate in the Review Conference on amended Protocol II due to take place in Geneva in December this year. Israel supports the efforts to extend accession to the CCW to as many States as possible, particularly in the Middle East region. Israel's policy stems from its desire to reduce and prevent human suffering and to restrict the use of weapons that have indiscriminate effects. However, we feel that it is necessary to maintain a balance between vital humanitarian concerns on the one hand and legitimate security concerns on the other.

Israel believes that joint action by the international community will prevent suffering caused by the indiscriminate use of anti-personnel landmines and will contribute to mutual trust and confidence. In this context, Israel reiterates its call to all States of the Middle East region to accede to the Conventional Weapons Convention, a step which will enhance the security of the entire area.

The Chairman (*spoke in Spanish*): The Committee has now well and truly completed its deliberations for today.

The meeting rose at 12.45 p.m.

United Nations A/C.1/54/PV.24

General Assembly
Fifty-fourth session

Official Records

First Committee
24th Meeting
Friday, 5 November 1999, 10 a.m.
New York

Chairman: Mr. Gonzalez ..... (Chile)

The meeting was called to order at 10.10 a.m.

Agenda items 64, 65 and 67 to 85 (*continued*)

Introduction of revised draft resolutions

The Chairman *(spoke in Spanish)*: I call on the representative of Egypt to introduce revised draft resolution A/C.1/54/L.7/Rev.1.

Mr. Zahran (Egypt) *(spoke in Arabic)*: I am pleased to introduce revised draft resolution A/C.1/54/L.7/Rev.1, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

Draft resolutions on this subject as we stated when introducing it in its original version, have been adopted yearly since 1974, and by consensus since 1980. Thus, today we will be witnessing the twentieth consecutive year of this consensus.

During the 1999 substantive session of the Disarmament Commission, the Working Group on the establishment of nuclear-weapon-free zones, under the chairmanship of our dear and constant friend, Mr. Emilio Izquierdo of Ecuador, was able to reach principles and guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned.

In our assessment, these guidelines, which were reached by consensus, are essential, major additions conducive to promoting the resolution concerning the region of the Middle East. However, it seems that reaching guidelines was for some another smokescreen for the continuation of their secret nuclear programmes and policies. We entered into protracted negotiations with the Israeli delegation in order to draw attention to the importance of the twelfth preambular paragraph, which was added to the draft resolution this year. That paragraph indeed reflects the spirit of what was agreed upon by the Israeli delegation in the Disarmament Commission.

It is indeed bizarre that one delegation would enter into negotiations with another to convince it of what that very delegation had agreed earlier in another forum during the same year, namely, this year. However, we indeed regret that intransigent and rigid positions characterize some delegations. Such positions only raise doubts about genuine positions on essential issues that have significant implications for the situation in the Middle East. However, as many of my colleagues here have mentioned to me, omitting the reference to the guidelines in the draft resolution is illogical. We cannot understand it. It makes us wonder. At the same time, we also wonder whether this situation would be heeded by some delegations that seem to be indifferent to the reality of the situation.

At any rate, and to maintain consensus on the draft resolution, after conducting protracted negotiations with several different parties, the Egyptian delegation is introducing the amended version of the draft resolution as contained in document A/C.1/54/L.7/Rev.1, in which the twelfth preambular paragraph has been deleted. Otherwise, the revised draft resolution is the same as the original. We hope that this draft resolution will once again enjoy consensus.

00-39834 (E)

This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Action on all draft resolutions submitted under all items

The Chairman (*spoke in Spanish*): As delegations were informed at the Committee's meeting yesterday, the Committee will proceed this morning to take decisions on the draft resolutions appearing in the Secretariat's informal paper No. 5 as follows: in cluster 6, draft resolutions A/C.1/54/L.5 and A/C.1/54/L.29; in cluster 7, draft resolutions A/C.1/54/L.28 and A/C.1/54/L.48; and in cluster 10, draft resolution A/C.1/54/L.40/Rev.1.

I call first on those delegations wishing to introduce revised draft resolutions, if any.

There appear to be none. If no delegations wish to make general statements on draft resolutions contained in cluster 6, we shall proceed to take action on draft resolution A/C.1/54/L.5.

Does any delegation wish to explain its position or vote before a decision is taken on draft resolution A/C.1/54/L.5?

There being none, the Committee will now take action on draft resolution A/C.1/54/L.5.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.5 is entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa". The sponsors of draft resolution A/C.1/54/L.5 are listed in the draft resolution itself and in document A/C.1/54/INF/2.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.5 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.5 was adopted.

The Chairman (*spoke in Spanish*): I now call on delegations wishing to explain their positions on the draft resolution just adopted.

Mr. Mesdoua (Algeria) (*spoke in French*): My delegation wishes to recall the difficulties we had last year on two important paragraphs of the corresponding draft resolution, namely, the eleventh preambular paragraph and operative paragraph 9. We said that the elements contained in these two paragraphs should be looked at somewhere other than in the First Committee, but we went along with the consensus despite those difficulties.

If the elements had been introduced in other Committees we would have been happy to support them. Nevertheless, in the spirit of solidarity, since it is an African draft resolution, we joined the consensus on it although we continue to have the same difficulties that we had last year.

The Chairman (*spoke in Spanish*): Note has been taken of the Algerian delegation's concerns regarding the draft resolution.

Mr. Fofana (Mali) (*spoke in French*): My delegation would like to co-sponsor draft resolution A/C.1/54/L.5.

The Chairman (*spoke in Spanish*): If no other delegation wishes to speak on draft resolution A/C.1/54/L.5, the Committee will now proceed to take action on draft resolution A/C.1/54/L.29. I call first on those representatives who wish to explain their position or vote before action is taken on this draft resolution. I see none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.29, entitled "Verification in all its aspects, including the role of the United Nations in the field of verification", was introduced by the representative of Canada at the Committee's 19th meeting, on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.29 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have become sponsors of the draft resolution: Haiti, the Republic of Moldova and Turkey.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.29 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.29 was adopted.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on the draft resolutions in cluster 7. I now call upon those delegations wishing to make general statements on this cluster.

Mr. Al-Anbuge (Iraq) (*spoke in Arabic*): On draft decision A/C.1/54/L.28, entitled "Advisory Board on Disarmament Matters", my delegation would like to make the following observations concerning the report of the Secretary-General contained in document A/54/218.

First, in speaking of the status of the United Nations Special Commission (UNSCOM) in Iraq, the report ignored completely the acts of spying, provocation and falsification carried out by the leadership of UNSCOM and many of its inspectors. By ignoring this issue the Advisory Board shows that it pays no heed to this very serious matter, which undermines the credibility of the role of the United Nations in the field of disarmament. It is very surprising that the Advisory Board reached its conclusions based on an informal paper presented by the former Chairman of UNSCOM, Mr. Ekeus, the present Ambassador of Sweden to Washington. Had it considered the report submitted by Ambassador Amorim to the Security Council, the conclusions would have been completely different.

Secondly, the report mentions that the Board was not in a position to assess the extent of what remained concealed with regard to Iraqi weapons of mass destruction. This conclusion confirms the non-objectivity of those who prepared the report. After nine years of interventionist inspections in Iraq, and the use of the United States U-2 spy planes almost daily, in addition to the use of satellites and spying by inspectors, UNSCOM did not produce any evidence of the presence of weapons of mass destruction or their components in Iraq. The Board should have reached this conclusion, not the contrary one. Raising doubts without giving evidence is the most dangerous thing that experts on disarmament can do.

Thirdly, the report of the Advisory Board states that Iraq's decision not to comply was the first regrettable step. This argument is far from the truth. The first regrettable step was Butler's withdrawal of his inspectors from Iraq without the knowledge or consent of either the Security Council or the Secretary-General. Then the destructive step that followed — the launching by the United States and Britain of aggression against Iraq on 16 December 1998 — was an act of aggression that targeted not only Iraqi infrastructure but also most of the facilities under the monitoring and verification regime, from which inspectors had departed hours before the bombing. The United States and Britain should pay the price for their aggression against Iraq and its people. History moves forward, not backward. Nobody should expect Iraq to accept new farces like the farce of the former UNSCOM, no matter what they are called.

The Chairman (*spoke in Spanish*): Obviously I shall not address the substance of the statement just made, but I understand that it was made as an explanation of vote or position before the voting or decision, since reference was made to a draft decision. I say this just to maintain order in our proceedings.

If no other delegations wish to make statements, the Committee will now proceed to take action on draft decision A/C.1/54/L.28, on which a statement has already been made by Iraq before the decision.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft decision A/C.1/54/L.28, entitled "Advisory Board on Disarmament Matters", was introduced by the representative of France at the Committee's 21st meeting, on 1 November 1999.

The Chairman (*spoke in Spanish*): The sponsor of draft decision A/C.1/54/L.28 has expressed the wish that it be adopted by the Committee without a vote. If I hear no objection I shall take it that the Committee wishes to act accordingly.

Draft decision A/C.1/54/L.28 was adopted.

The Chairman (*spoke in Spanish*): I now call upon the representative of Oman, who wishes to speak in explanation of position on the draft decision just adopted.

Mr. Al-Hassan (Oman) (*spoke in Arabic*): My delegation joined the consensus on draft decision A/C.1/54/L.28, which relates to the Advisory Board on Disarmament Matters.

In view of the procedural nature of the draft decision and the important role of the Board and its consultations with the Secretary-General, we would like to remind the Committee that, in the interests of transparency, we would appreciate more information on this draft decision and the nature of the Board.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/54/L.48. Does any delegation wish to speak before a decision is taken on this draft resolution?

I see none. I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.48, entitled "Convening of the fourth special session of the General Assembly devoted to disarmament", was introduced by the representative of South Africa on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries at the Committee's 17th meeting, on 27 October 1999.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.48 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.48 was adopted.

The Chairman (*spoke in Spanish*): Do any delegations wish to explain their position on the draft resolution just adopted?

There appear to be none.

The Committee will now turn to cluster 10. Here I want to make it clear that we should avoid anything that could complicate the procedure. Does any delegation wish to make a general statement on draft resolutions in this cluster, but not on specific draft resolutions? According to the rules of procedure, explanations of position or vote should be made just before action is taken. But first, does any delegation wish to make a general statement on cluster 10?

The Committee will now proceed to take action on draft resolution A/C.1/54/L.40/Rev.1. Does any delegation wish to explain its position or vote before a decision is taken on this draft resolution?

There being none, I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.40/Rev.1, entitled "Maintenance of international security — stability and development of South-Eastern Europe", was introduced by the representative of the former Yugoslav Republic of Macedonia at the Committee's 23rd meeting, on 4 November 1999. The sponsors of draft resolution A/C.1/54/L.40/Rev.1 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have become sponsors of the draft resolution: Canada, Croatia, Cyprus, the Czech Republic, Denmark, the United States of America and Ukraine.

Mr. Čalovski (the former Yugoslav Republic of Macedonia): I wish to inform the Committee that Albania and Azerbaijan have also become sponsors.

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-chung (Secretary of the Committee): The Committee will now vote on draft resolution A/C.1/54/L.40/Rev.1.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Zambia, Zimbabwe

Against:
None

Abstaining:
Belarus, China

Draft resolution A/C.1/54/L.40/Rev.1 was adopted by 137 votes to none, with 2 abstentions.

The Chairman (*spoke in Spanish*): I now call upon those representatives wishing to explain their vote or position on the draft resolution just adopted.

Mr. Tello (Mexico) (*spoke in Spanish*): Last year my delegation abstained in the voting on the corresponding draft resolution because we felt it did not meet the requirements of the decision taken in paragraph 117 of the Final Document of the first special session of the General Assembly devoted to disarmament.

As will be recalled, in that Final Document, which was adopted by consensus, it was decided that the First Committee was to deal only with disarmament issues and issues of international security related to disarmament questions. This year, in the draft resolution just adopted, A/C.1/54/L.40/Rev.1, the sponsors inserted a paragraph that highlights the importance of activities related to disarmament, arms limitation and confidence-building in the region in question. This is a very tenuous link with disarmament issues, and we hope that in the future the members of the First Committee will adhere to the decision taken by the General Assembly to devote the work of this Committee solely and exclusively to disarmament questions and related security issues.

The Chairman (*spoke in Spanish*): The Committee has concluded in record time its work on the draft resolutions and draft decision before it at this morning's meeting.

In connection with draft resolution A/C.1/54/L.1/Rev.1, it has been suggested that action could be taken either this morning or this afternoon. Are delegations prepared to consider draft resolution A/C.1/54/L.1/Rev.1 at this time?

Mr. Aamiry (Jordan) (*spoke in Arabic*): Since the amendment to draft resolution A/C.1/54/L.1/Rev.1 was put forward by the representative of France rather late for my delegation, and since the issue of the Anti-Ballistic Missile Treaty is an extremely important one in the field of international security, I believe that we should be given time to consider the significance of the French proposal, as it deals with an issue of paramount importance. The Treaty on the Non-Proliferation of Nuclear Weapons is closely linked with the Anti-Ballistic Missile Treaty. We would like to have enough time to consider it before taking action — say, this afternoon or on Monday morning.

The Chairman (*spoke in Spanish*): The Chair would prefer that the deadline be this afternoon because this matter has been protracted for a few days.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I agree with you, Mr. Chairman, that we do have to work on it today, because yesterday it was decided that we should vote on it today. Rule 78 states that delegations can proceed within 24 hours, and I understand that that 24-hour period has already elapsed. If delegations believe that today after lunch their positions would be clearer, we would not object, but I think that the Secretariat would be able to say exactly when the 24-hour period ends. Perhaps that would be the best way to determine the time for the voting. According to our calculations, the 24-hour period has practically elapsed.

The Chairman (*spoke in Spanish*): Thank you for that counsel, but I am also able to make calculations. I do agree that these are the rules, but we are working in a cordial atmosphere, and so it is possible in that way to resolve procedural issues without any problem. I think it is clear that the decision will be taken on the draft resolution today. Without asking the Secretariat, I could say that the 24-hour period has not yet expired. There is an hour left. We would have to wait an hour without doing anything and then put the draft resolution to a vote. It might be nice to have a friendly coffee break, but in this context, I think the request made by Jordan makes sense. It is up to the Committee to decide if it wants us to wait an hour and then decide, or if it wants this matter to be put on the list for first thing this afternoon and end this meeting now. I am in the hands of the delegations. It is my duty to follow the decision taken by delegations, but at the same time I venture to appeal that we not become entangled in procedural issues.

How delegations will vote on questions of substance should be clear, but at the same time, as I said at the outset, it is a good idea for smaller delegations with fewer representatives and resources to have the opportunity to obtain all the needed information to make their decision. But I do say to the delegation of the Russian Federation that there is no question but that action will be taken by this afternoon.

Mr. Andrade Pinto (Brazil) (*spoke in Spanish*): My delegation is prepared to vote on all the drafts included in the informal paper for this afternoon. In other words, if there is any objection, if any delegation wants to leave a draft resolution until this afternoon and not do it now we can be flexible. But if this afternoon's work can be reduced by including some of these draft resolutions this morning we would agree with the suggestion.

The Chairman (*spoke in Spanish*): A brief summary: the representative of the Russian Federation would prefer that this draft resolution be put to the vote now. The representative of Jordan has a well-defined request that it be put to the vote this afternoon. The representative of Brazil would not object to the draft resolution being put to the vote this afternoon, so there is a certain trend towards putting the draft resolution to the vote this afternoon.

Mr. Sychov (Belarus) (*spoke in Russian*): We need to consider the effective use of the resources we have for the work of the Committee. In this connection, the proposal made by the representative of Brazil deserves attention. He proposed that we consider now items that were planned for discussion this afternoon because of the time limit that had been set for the Committee's consideration of draft resolution A/C.1/54/L.1/Rev.1. In this way we could conclude our work this morning.

Mr. Oyugi (Kenya): My delegation wishes to support the proposal made by Brazil. We are ready to take action on all the draft resolutions listed in informal paper No. 6, and we think this would be an efficient way of using our time and resources.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation agrees with the views expressed by the previous two speakers. We believe it is entirely possible to take action on the draft resolutions listed in informal paper No. 6, and at an appropriate time this morning we can take action on draft resolution A/C.1/54/L.1/Rev.1.

The Chairman (*spoke in Spanish*): I propose that we wait a while to give the representative of Jordan an opportunity to look at the proposal, which I think is clear — I am not saying whether it is good or bad, but it is well structured and easy to follow. I emphasize that I am not passing any value judgement on the substance of the proposal but I think that some time could be allowed to look at the proposal, we could come back together and then we could deal with the item this morning.

If I hear no objection I shall take it that the Committee agrees. The Committee will meet again in exactly one hour in order to meet the deadline that the representative of the Russian Federation asked be respected.

The meeting was suspended at 10.55 a.m. and resumed at 12 noon.

The Chairman (*spoke in Spanish*): I now call upon those delegations wishing to make general statements on draft resolutions contained in cluster 1. There appear to be none.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.56 which contains amendments to A/C.1/54/L.1/Rev.1.

I call on those members of the Committee who wish to explain their position or vote before a decision is taken on draft resolution A/C.1/54/L.56.

Mr. Grey (United States of America): My delegation will vote "no" on amendment A/C.1/54/L.56, the amendments proposed by France to draft resolution A/C.1/54/L.1/Rev.1.

While we share the substantive concerns reflected in the French amendments, we believe it is a mistake to consider these concerns in connection with draft resolution A/C.1/54/L.1/Rev.1. Furthermore, in our view these amendments do not fix the draft resolution. We will oppose the draft resolution with or without these amendments.

Mr. Aamiry (Jordan): The draft resolution that was submitted by Belarus, China and the Russian Federation deals with —

The Chairman (*spoke in Spanish*): I am sorry to interrupt the representative of Jordan, but the Committee is taking action on draft resolution A/C.1/54/L.56. Subsequently there will be an opportunity for you to express your position on draft resolution A/C.1/54/L.1/Rev.1. I would ask that the Committee first take action on A/C.1/54/L.56.

Mr. Aamiry (Jordan): Thank you, Sir, for making that clear. My delegation is not comfortable with the amendment introduced by the representative of France yesterday, because although the amendment deals with a very important domain of disarmament, namely, the non-proliferation of weapons of mass destruction — and wherever my delegation finds an opportunity to vote for

issues of non-proliferation we would certainly do so, particularly since we live in a neighbourhood where the closest neighbour to Jordan has a programme with which we are not very comfortable, so we would like to see non-proliferation take place in our region as well as in other regions. Yet the issue of including non-proliferation within the domain of maintaining the Anti-Ballistic Missile Treaty very much dilutes and blurs the issue.

If I were to be honest intellectually with myself I would vote against the amendment, but I would not be more royalist than the King, so I will abstain in the voting.

Mr. Al-Hariri (Syrian Arab Republic) (*spoke in Arabic*): My country, like all other countries and the United Nations, welcomed the Anti-Ballistic Missile (ABM) Treaty because it serves global stability and strategic balance and is an important part of bilateral and multilateral disarmament agreements. However, the amendments suggested in document A/C.1/54/L.56 are far removed from the main objective of the draft resolution under consideration and divert it from its main direction.

We consider that these amendments encourage violations of the ABM Treaty and therefore fall outside the perspective of the draft resolution. That will lead my delegation to abstain in the voting on the draft resolution.

Mr. Baeidi-Nejad (Islamic Republic of Iran): The French amendments in document A/C.1/54/L.56 and draft resolution A/C.1/54/L.1/Rev.1 are really issues that belong together, and I want to touch on the main concept in draft resolution A/C.1/54/L.1/Rev.1 at the same time as I express our views on the amendments. We would be comfortable making those explanations either now or before voting on draft resolution A/C.1/54/L.1/Rev.1. These issues go together, and we cannot make our explanation on the amendment without referring to the draft resolution itself. So if the Chairman will allow me, I will continue.

My delegation will certainly vote in favour of draft resolution A/C.1/54/L.1/Rev.1 for obvious reasons. The Anti-Ballistic Missile (ABM) Treaty is one of the main foundations of global security and has served as an essential element in maintaining stability and a global geostrategic balance. This Treaty has also had an important role in containing the arms race, particularly among the nuclear-weapon States. We appreciate the initiative of the sponsors of the draft resolution in bringing this matter to the First Committee.

The expected overwhelming support of the Committee today would manifest the great desire of the international community to preserve the integrity of the ABM Treaty. My delegation, in the same spirit, will abstain in the voting on the amendment submitted by the delegation of France to this draft resolution. While sharing some of the main points on which the French delegation elaborated yesterday in the Committee, we believe that the amendments are not consistent with the spirit of the draft resolution, which calls for unequivocal support for the preservation of and compliance with the ABM Treaty. My delegation is of the view that the concepts contained in the amendments, however substantive, might be misinterpreted against the spirit of the draft resolution.

Apart from this, the content of the amendments suggested by France deserves to be improved to better reflect the realities and developments taking place in the world. Although the proliferation of weapons of mass destruction is a real threat to international security, we should not lose sight of the fact that the proliferation of weapons of mass destruction would not be completely reversed unless those weapons of mass destruction were legally outlawed, and, more important, unless they were destroyed under effective international control. The continued possession of weapons of mass destruction is therefore an area of major concern of the international community. The important recent moves for concluding the Chemical Weapons Convention and the Biological Weapons Convention were based on exactly that essential foundation. We hope very much that similar moves will be brought forward to ban nuclear weapons.

My delegation was willing to rectify the shortcomings inherent in the amendments suggested, however due to the complexity of the issues related to the draft resolution, the late submission of the amendments and subsequent contacts and consultations, particularly with the sponsors of the draft resolution, we decided not to push for any complication of the draft amendment at this stage.

Mr. DuPreez (South Africa): The amendments contained in A/C.1/54/L.56, which the delegation of France has proposed with regard to draft resolution A/C.1/54/L.1/Rev.1, and the emphasis which these place on preventing the proliferation of weapons of mass destruction and their delivery systems, are fully in line with South African Government policy. In fact, South Africa is not only committed to opposing such proliferation in terms of policy, but it is also obliged to do so in terms of parliamentary legislation, namely, the Non-Proliferation of Weapons of Mass Destruction Act.

My delegation, however, believes that while the amendments which have been proposed by France are acceptable to us in terms of our national policies, they are not appropriately proposed for this draft resolution, where the focus is the Anti-Ballistic Missile (ABM) Treaty. As a consequence, it is our intention to abstain in the voting on the amendments. If the amendments are adopted, it is, however, our intention to vote in favour of the draft resolution as a whole, including with the amendments.

Mr. Khan (Pakistan): My delegation is taking this opportunity to explain its vote before the voting on the amendments contained in document A/C.1/54/L.56.

The draft resolution contained in document A/C.1/54/L.1/Rev.1 relates to a very specific subject, namely, the preservation of and compliance with the Anti-Ballistic Missile (ABM) Treaty. Delegations, in our opinion, should be allowed to take a position on the draft resolution on its own merits rather than be distracted by unrelated references to discriminatory positions.

Weapons of mass destruction are nuclear, chemical and biological weapons. The Chemical Weapons Convention is a reality. Efforts are being made to ensure its universality, thereby eliminating the threat of the proliferation of chemical weapons. There is also a separate First Committee draft resolution dealing with the Chemical Weapons Convention. The Biological Weapons Convention has been in existence for many years. Efforts are currently under way to strengthen that Convention through a Protocol. Again, there is a specific draft resolution on the subject in the First Committee. Only nuclear weapons are the subject of widespread concern because they exist by the thousands in the arsenals of the nuclear-weapon States and because some of them seek to perpetuate discrimination and double standards. That is the thrust of these amendments.

If the reference to the means of delivery is to missiles, then this issue will also need to be addressed in all its aspects including the thousands of missiles deployed by the major Powers.

The reasons for the amendments are not understood. They seem designed to bring into the ABM draft resolution highly contentious issues, to impose on this draft resolution the discrimination inherent in the policies of some States that preach abstinence to others while claiming a special right to keep and accumulate weapons of mass destruction for themselves. It is also an effort to shift attention from the main focus of the draft resolution to the preferred priorities of some States.

For these reasons my delegation would have voted against these amendments, but because the sponsors of the draft resolution have decided to abstain in the voting on these amendments, my delegation will also abstain.

The Chairman (*spoke in Spanish*): There are no further speakers wishing to explain their vote or position on the amendments submitted by France before action is taken.

I now call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft amendment A/C.1/54/L.56, containing amendments to draft resolution A/C.1/54/L.1/Rev.1, entitled "Preservation of and compliance with the Anti-Ballistic Missile Treaty", was introduced by the representative of France at the Committee's 23rd meeting, on 4 November 1999.

The Committee will now vote on the draft amendment contained in document A/C.1/54/L.56.

A recorded vote was taken.

In favour:

Algeria, Brazil, Brunei Darussalam, Burkina Faso, Canada, Chile, Colombia, Ethiopia, France, Guyana, Haiti, Ireland, Jamaica, Kazakhstan, Malaysia, Mexico, Monaco, Morocco, Myanmar, Thailand, Tunisia, Ukraine

Against:

United States of America

Abstaining:

Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Cambodia, China, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Iran (Islamic Republic of), Israel, Italy, Japan, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Sierra Leone, Singapore, Slovakia,

Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela

The amendment was adopted by 22 votes to 1, with 95 abstentions.

The Chairman (*spoke in Spanish*): I call now on those delegations wishing to explain their votes or positions on the amendment just adopted.

I see none. The Committee will now proceed to take action on draft resolution A/C.1/54/L.1/Rev.1, as amended.

I now call on those members of the Committee who wish to explain their positions or votes before a decision is taken on the draft resolution.

Mr. Al-Anbuge (Iraq) (*spoke in Arabic*): Draft resolution A/C.1/54/L.1/Rev.1, entitled "Preservation of and compliance with the Anti-Ballistic Missile Treaty", is timely, for the Anti-Ballistic Missile (ABM) Treaty is a cornerstone for maintaining strategic balance and stability in the world today. Since the signing of that Treaty in 1972, it has contributed to limiting the development and deployment of the anti-ballistic missiles of the Soviet Union and the United States of America. Thus, it has played a significant role in the cessation of the nuclear arms race and the creation of a favourable climate for keeping up the momentum of the nuclear disarmament process.

However, that Treaty at present is confronted by grave challenges due to United States endeavours to amend it with a view to weakening it, contrary to the desire of the Russian Federation, the other party to the Treaty, and contrary to the will of the majority of the members of an international community, which seeks to promote arms control and arms limitation measures, not undermine them.

The goal of the American attempt to weaken the ABM Treaty is indeed crystal clear: to attain absolute strategic superiority at the expense of the security of others and to develop defensive and offensive missile programmes that do not exclude outer space from the scope of activities.

We, as an Arab State, are even more concerned that the United States continues its bilateral cooperation with Israel to develop common missile-defence programmes. The missile that Israel successfully tested a few days ago is a product of this cooperation in the field of armaments and brings us to a new stage in the arms race, a stage based on reneging on existing international conventions, which seriously jeopardizes international peace and security. Moreover, this would divert more material and financial resources to military development instead of devoting such resources to economic and social development and to building the edifice of peace, at a time when the world desperately needs to make a common effort to meet the developmental and environmental needs of present and future generations, to make a commitment to resolve conflicts peacefully and to renounce the policy of force that has only meted out destruction to humanity.

Hence, on the basis of these points, my delegation strongly supports draft resolution A/C.1/54/L.1/Rev.1 in its original form and calls on other States to support it as well.

Ms. Kunadi (India): My delegation has requested the floor before the voting on draft resolution A/C.1/54/L.1/Rev.1 to state its position on this draft resolution on the Anti-Ballistic Missile (ABM) Treaty.

The Anti-Ballistic Missile Treaty, an important legal instrument that had its genesis in the strategic competition of the cold-war years, is of continuing importance and relevance to the international community. The Treaty, concluded in 1972, was based on certain premises which retain their validity. The Treaty considered that effective measures to limit anti-ballistic missile systems would be a substantial factor in curbing the strategic offensive arms race and would also contribute to the creation of conditions more conducive to negotiations on reducing nuclear weapons.

The essential core of the Treaty remains the provisions in article I, paragraph 2, that each party to the Treaty undertakes not to deploy anti-ballistic missile systems for a defence of the territory of its country and not to provide a base for such a defence. The article also laid down limited parameters for the defence of an individual region. We note that this draft resolution has reaffirmed the premises of the Treaty.

It may be useful to recall that all agreements relating to nuclear arms limitation and reductions, including the SALT and START process, took place after the ABM Treaty, which provided an agreed basis and mutual confidence that facilitated the nuclear arms reduction agreements. Until such time as an alternative basis is put in

place, there will be continuing relevance for the ABM Treaty.

The ABM Treaty may have had its genesis in the bilateral context when the relevant technologies were available only to two States. That does not hold true today. The ABM Protocol signed in 1997 already went beyond the strict bilateral context. Just as nuclear disarmament is a concern for the international community as a whole and not just for those who possess nuclear weapons, so the ABM Treaty is a matter of concern for the international community. Compliance with the Treaty would necessarily be the obligation of the parties to the Treaty, but non-compliance with the Treaty has global consequences, and the international community therefore has a legitimate and vital interest.

The shadow of the ongoing developments in the field of ballistic missile defences has already been cast on the work of the Conference on Disarmament. The inability of the Conference this year to agree to a programme of work, including in the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, reflects at a more fundamental level divergence regarding priorities in the disarmament agenda. We believe that the present disarmament agenda cannot continue to hold for long if new areas of competition are unfolding simultaneously. This would have the unfortunate but inevitable consequence of calling into question the relevance of current proposals for limiting and reducing offensive strategic arms. A vicious cycle of offence feeding on defence and vice versa may become the order of the day.

The international community has rightfully expressed its concern in various forums regarding the developing challenges to the ABM Treaty. The final communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries, held in New York on 23 September, expressed concern regarding the negative implications of these developments and the further erosion of the international climate conducive to the promotion of disarmament and the strengthening of international security.

India has closely followed the discussions in the Committee on A/C.1/54/L.1 and on A/C.1/54/L.1/Rev.1, which included new references, including to the Treaty on the Non-Proliferation of Nuclear Weapons, which were not in the original draft. India supports the sponsors' objective, through this draft resolution, of giving expression to the concern of the General Assembly regarding emerging trends towards testing and deployment of ballistic missile defences, which could have far-reaching implications, including for the disarmament agenda. There is an imperative need to stem such deployments. Preserving the ABM Treaty and its core principles will be an indispensable element in international efforts to achieve such an objective.

India attaches importance to the objectives of this draft resolution and will therefore be casting a positive vote. India abstained in the voting on the amendments proposed in document A/C.1/54/L.56. While we have no quarrel with the content of the amendments, they have little relevance in a draft resolution aimed at preserving the ABM Treaty and promoting its objective. It would be a pity if those provisions were to be cited as grounds for action which went against the objective of this draft resolution.

Mr. Khan (Pakistan): My delegation is taking this opportunity to explain its vote before the voting on the draft resolution contained in document A/C.1/54/L.1/Rev.1.

My delegation has followed with concern developments relating to the Anti-Ballistic Missile (ABM) Treaty because of their wide-ranging implications for international and regional peace and security. The fundamental premise of the ABM Treaty is simple and compelling: restraint and strategic capabilities have to be mutual and reciprocal. Disregard of this principle, whether in the global context or at the level of regional actors, can create an action/reaction cycle and could lead to an unending arms race.

The ABM Treaty has served as the bedrock for maintaining strategic stability. It has been critically important in providing the basis for reducing strategic offensive weapons between the United States and Russia and allowing other nuclear-weapon States to maintain much lower levels of nuclear arms. The preservation of and compliance with the ABM Treaty is vital for international security and for promoting nuclear disarmament.

The nuclear-weapon States have affirmed that nuclear disarmament is firstly a bilateral affair between the United States and the Russian Federation. Although we cannot support this position, because it is designed to exclude multilateral negotiations on nuclear disarmament, we have nonetheless expressed our support for all measures to reduce nuclear weapons, especially the START Treaties. Now even this so-called first stage of nuclear disarmament is in jeopardy on account of the threat to the ABM Treaty. The framework for nuclear disarmament established by the nuclear-weapon States themselves is in danger because of their own actions.

The statement by the representative of Russia on 13 October gives a clear indication of the stakes involved. He has warned that the deployment of ABM systems could derail the implementation of START I and prevent START II from entering into force. The damage would spread to other existing agreements and jeopardize future prospects for arms reduction and disarmament. These issues cannot be dismissed summarily, nor can they be rejected by characterizing them as bilateral matters.

The threat of ballistic missiles, which some have sought to use as a justification for the establishment of anti-ballistic missile systems needs to be seen in its proper perspective. The capabilities of the sources of such threats are insignificant compared to the firepower which is available to the nuclear-weapon States. Non-parties and experts have concluded that such threats are more imaginary than real. My delegation, in its statement on 20 October, expressed its concerns with regard to both anti-ballistic missile and theatre missile defence systems.

My delegation will vote in favour of draft resolution A/C.1/54/L.1/Rev.1. Pakistan would have co-sponsored this draft resolution if in operative paragraph 1 the draft resolution had called for no transfer of any anti-ballistic missile systems to any other State.

We take this opportunity to appeal to Russia, the main sponsor of the draft resolution, also to display the same degree of sensitivity to our security concerns in our region and to reconsider its decision to supply an anti-missile system to our neighbour. The provision of such a system will have the same effect regionally that Russia seeks to prevent globally, and we hope that the Russian delegation sees the irony in that situation.

Mr. Oyugi (Kenya): I should like to explain the position of my delegation on draft resolution A/C.1/54/L.1/Rev.1.

It cannot be denied that the Anti-Ballistic Missile (ABM) Treaty has served a useful purpose in the 27 years of its existence. It has played a positive role in helping curb the arms race in a category of deadly weaponry that includes nuclear arms. Its exclusive bilateral nature notwithstanding, the Treaty has been particularly useful in putting a check on the build-up of arms in a area which has the dangerous potential to spark an arms race in outer space.

However, when talking of disarmament treaties, it should by now be clear that the ABM Treaty is not the only one under threat. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is arguably under greater siege than the ABM Treaty. During our general debate many delegations, including mine, expressed concern over the fate of the NPT. There have been developments which amount to a violation of this Treaty. The reluctance of the nuclear-weapon States to carry out nuclear disarmament in good faith in accordance with article VI of the Treaty is an example of that. The principle of sharing nuclear weapons, as reaffirmed in an alliance doctrine earlier this year, is also a case of violation of articles II and III of the Treaty.

We ask what lessons can therefore be drawn from the threat currently facing the ABM Treaty. We know of at least one: that it is imperative to involve the international community in such treaties right from the beginning, especially given the nature of the weaponry involved. The effective participation of the broader international community in this field is likely to provide a better guarantee for the survival of such treaties.

In a nutshell, Kenya will vote in favour of the draft resolution. This notwithstanding, we would like to point out that all arms control and disarmament treaties should be respected and treated equally.

Mr. Ogunbanwo (Nigeria): Nigeria would like to make a statement in explanation of vote before the voting on the draft resolution contained in document A/C.1/54/L.1/Rev.1.

Nigeria believes that in order to achieve disarmament agreements various efforts are needed, including bilateral, plurilateral, multilateral and unilateral efforts. The Anti-Ballistic Missile (ABM) Treaty is the result of the determined bilateral efforts of the United States and the Russian Federation. It has been repeatedly said in this Committee that the primary responsibility for nuclear disarmament lies with the nuclear-weapon States, especially the United States and the Russian Federation, the two countries that possess the largest stockpiles of nuclear weapons. That responsibility depends to some extent on the assumption that there exists a high degree of cooperation between the nuclear-weapon States, especially the United States and the Russian Federation. My delegation is concerned that lack of cooperation between the nuclear-weapon States could have negative effects on other areas of disarmament efforts. In our view, the 27-year-old ABM Treaty is a good example of a bilateral cooperative agreement which has provided the foundation for achieving further reductions in strategic arms, including through

START I and START II. We hope that it will have an effect on START III, which we hope will commence soon.

The ABM Treaty has been amended before in the spirit of cooperation. We urge the United States and the Russian Federation to continue to demonstrate the same spirit of cooperation which has allowed the ABM Treaty to stand the test of time. My delegation therefore appeals to the two States to resume their ongoing dialogue, bearing in mind that the ABM Treaty is the cornerstone of strategic stability.

For these reasons, as well as the fact that we attach great importance to the value of cooperation in achieving disarmament treaties, Nigeria will abstain in the voting on draft resolution A/C.1/54/L.1/Rev.1.

Mr. Andrade Pinto (Brazil): Brazil is a sponsor of a draft resolution on nuclear disarmament that underlines in its text that the Anti-Ballistic Missile Treaty remains a cornerstone of strategic stability, and we continue to agree with that. My Government, however, considers that some of the provisions of the present draft resolution are not in line with current practice and the law of treaties. Therefore, Brazil will abstain in the voting on draft resolution A/C.1/54/L.1/Rev.1.

Mr. Shevchenko (Ukraine): My delegation would like to explain its position before action is taken on draft resolution A/C.1/54/L.1/Rev.1. Ukraine considers the Anti-Ballistic Missile (ABM) Treaty a cornerstone of the existing strategic stability in the world. Such a position is consistent with the multilateral assessment made by the States implementing the Treaty in the course of its regular five-year review in 1998. At the same time, the latest developments in the situation regarding the ABM Treaty have raised some concerns in Ukraine. On the one hand, the Russian Federation and the United States reaffirmed their commitment to the ABM Treaty in the joint statement concerning strategic offensive and defensive arms and further strengthening stability in June of this year — the Cologne statement — recognizing its importance in the sphere of strengthening strategic stability and international security.

On the other hand, the United States decision on the national anti-ballistic missile system authorized by the President of the United States of America has made the prospect of the United States development of its national anti-ballistic missile system clearer. This fact has also had wide political resonance. Ukraine understands the concerns of any State relating to the proliferation of missile technologies and weapons of mass destruction, and that every State has a sovereign right to resolve the issues of its national security taking into account its assessment of existing or potential threat.

Meanwhile, we think that the relevant measures taken by States cannot be incompatible with their international commitments. This undoubtedly applies to the commitments made by the parties to the ABM Treaty, as well as to the other treaties on strategic stability — the START and Intermediate-Range Nuclear Forces (INF) Treaties. We understand that both the Russian Federation and the United States have reaffirmed, in the above-mentioned Cologne joint statement, their existing obligations under article XIII of the Treaty to consider possible changes touching upon the provisions of the Treaty in the strategic situation. We are convinced that the Standing Consultative Commission (SCC) that was set up by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States, as the States parties to the Treaty, is a proper multilateral forum for consideration of all related issues, as well as, under article XIII, paragraph 1 (f), of the Treaty, "possible proposals for further increasing the viability of this Treaty, including...amendments", as referred to in article XIV.

In this context, our delegation has serious doubts that bilateral efforts are the only way to achieve success, as was expressed here by the United States delegation and the Nigerian delegation. The Treaty is considered by my delegation essentially a bilateral agreement.

We would like to stress once again the necessity of the entry into force of the 1997 New York agreements formalizing the succession issues in respect of the ABM Treaty. In our view, a prompt resolution of the succession-related issues will contribute further to the viability of the Treaty.

My delegation thoroughly examined the amendments to draft resolution A/C.1/54/L.1/Rev.1 proposed yesterday by the French delegation, and we support the main thrust contained therein. However, the above considerations and the necessity for further analysis of events in the sphere of the ABM Treaty, and the recent results of the SCC's fifty-ninth session, will lead Ukraine to abstain this year in the voting on draft resolution A/C.1/54/L.1/Rev.1.

The Chairman (*spoke in Spanish*): That brings us to the conclusion of the first part of our procedure related to decision-making on this draft resolution. I now call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.1/Rev.1, entitled "Preservation of and compliance with the Anti-Ballistic Missile Treaty", was introduced by the representative of the Russian Federation at the Committee's 13th meeting, on 21 October 1999. The sponsors of the draft resolution are listed in the draft resolution itself.

The Committee will now vote on draft resolution A/C.1/54/L.1/Rev.1, as amended.

A recorded vote was taken.

In favour:

Algeria, Angola, Armenia, Bangladesh, Barbados, Belarus, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, China, Colombia, Comoros, Cuba, Democratic People's Republic of Korea, Egypt, Ethiopia, France, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Pakistan, Russian Federation, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Against:

Israel, Latvia, Micronesia (Federated States of), United States of America

Abstaining:

Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela

Draft resolution A/C.1/54/L.1/Rev.1, as amended, was adopted by 54 votes to 4, with 73 abstentions.

The Chairman (*spoke in Spanish*): I now call on those delegations wishing to explain their position or vote on the draft resolution just adopted.

Mr. Westdal (Canada): Canada abstained in the voting on this draft resolution. Our decision to do so, however, should in no way be interpreted as an indication of any change in Canada's appreciation of the fundamental importance of the Anti-Ballistic Missile (ABM) Treaty to international security. In fact, a little more than a week ago in Boston, our Foreign Minister, Mr. Axworthy underlined the importance of the ABM Treaty to international strategic stability, a point made by both parties to the Treaty. He also cautioned that in efforts to reconcile national missile defence with the Treaty, great care should be taken not to damage a system that for almost 30 years has underpinned nuclear restraint and allowed for nuclear reductions.

While Canada believes — in fact insists — that the global community has a clear stake in the outcome of United States/Russian discussions on the future of the Treaty, our sense is that this bilateral process between the parties directly involved needs to be given more time. Although there is much in the draft resolution that Canada can support, we question whether bringing this issue to the General Assembly in this way at this time is the best way to move matters forward. Thus our decision to abstain.

On a related point, we remain deeply concerned about the broader issue of the proliferation of missile systems, especially those capable of delivering weapons of mass destruction. It is for this reason that we voted in favour of amendments to the draft resolution drawing attention to this issue.

Mr. Bivero (Venezuela) (*spoke in Spanish*): The Venezuelan delegation shares the concerns expressed in the draft resolution and understands the global implications that a unilateral modification to the Anti-Ballistic Missile (ABM) Treaty would have for strategic stability and all international agreements in the sphere of arms control and limitation.

In the current circumstances, Venezuela is confident that the parties to the Treaty will be able to advance in resolving their possible discrepancies without undermining the principles, integrity and full observance of the Treaty. In this context, Venezuela is convinced that the international community must remain watchful over the

evolution of this subject. Venezuela also views favourably the aim of the amendments proposed by France, and we are sure that the broader issue of the proliferation of weapons of mass destruction and their delivery systems can be dealt with in a timely and appropriate way.

For these reasons, the delegation of Venezuela abstained in the voting on the draft resolution in document A/C.1/54/L.1/Rev.1.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The international community is now making considerable efforts to achieve the adoption of instruments that prevent or curb the creation and development of certain weapons or weapons systems that threaten international security, such as nuclear weapons. It is really lamentable that a country that has undertaken commitments under a Treaty of such historic importance as the Anti-Ballistic Missile (ABM) Treaty is carrying out actions that undermine or sidestep the letter and spirit of that legal instrument.

Cuba voted in favour of and welcomes the adoption of the draft resolution contained in document A/C.1/54/L.1/Rev.1, as we emphasize the need for the Treaty on the Limitation of Anti-Ballistic Missile Systems to be respected strictly. Any violation of the ABM Treaty, as indicated by the sponsors of the text, will have a negative influence on the security interests not only of the States parties but also of the entire international community and will therefore have negative consequences for international peace, security, strategic balance and nuclear disarmament.

For these reasons Cuba considers the discussion of this item in the framework of the General Assembly completely relevant, and particularly in the framework of this Committee. It is our hope that for the next session the worrisome situation that now exists regarding the ABM Treaty will have evolved in such a way that it will not be necessary to adopt another resolution on this subject.

Mr. Miranda Brambilla (Peru) (*spoke in Spanish*): The delegation of Peru wishes to emphasize the traditional position of our country in favour of disarmament and nuclear non-proliferation and our support for the validity of the Treaty on the Limitation of Anti-Ballistic Missile Systems signed by the Union of Soviet Socialist Republics and the United States of America on 26 May 1972.

Peru's reservations on draft resolution A/C.1/54/L.1/Rev.1 do not have to do with the substance of the matter but rather with the way in which it is possible to contribute to the strengthening of this international instrument and to all disarmament negotiations between the United States of America and the Russian Federation. These are the concepts that inspired our vote on the draft resolution.

Mr. Sorreta (Philippines): The Philippines continues to support the sanctity of the Anti-Ballistic Missile (ABM) Treaty for reasons that others have stated far more eloquently than I could. However, there are certain points that have also been raised eloquently by Canada and Peru that made it difficult for us to vote in favour of this draft resolution. In particular, the Philippines finds itself in East Asia, a region where potential conflict exists and where the nuclear factor hovers over us. The potential of conflict come from many geographic areas, all of them straddling the Philippines. For that reason, we find we must reserve our position on this draft resolution and we did not participate in the voting.

On the other hand, many of us in the Philippines still feel that we must make every effort to keep the ABM Treaty intact, and we consider that this draft resolution may not be the way to go. We saw a few weeks ago the dynamics of how the United States proceeds with important foreign policy issues. We consider that this kind of draft resolution, when read by the esteemed members of the United States Congress, and once they consult with military contractors, will swing the debate on the ABM Treaty in their favour, and any effort on any side to try to persuade them otherwise would be futile. For those reasons, the Philippines will reserve its position at this time and will see how things develop, but will definitely participate in the voting when the corresponding draft resolution comes up again at the fifty-fifth session of the General Assembly.

Mr. Čalovski (the former Yugoslav Republic of Macedonia): My delegation thoroughly studied draft resolution A/C.1/54/L.1/Rev.1, now adopted, and the amendments proposed in document A/C.1/54/L.56. We had hoped that the interested parties would reach a text that could be supported by all delegations in the Committee. However, in our view, the position of the most interested parties on the adopted draft resolution deserves full and careful consideration, and we hope that such consideration will be given in future. Taking into account the cornerstone importance of the Anti-Ballistic Missile Treaty, my delegation abstained in the voting both on the amendment and on draft resolution A/C.1/54/L.1/Rev.1.

Mr. Izquierdo (Ecuador) (*spoke in Spanish*): My delegation wishes to express its position in favour of the

need for the General Assembly of the United Nations to deal with all subjects related to disarmament and international security, particularly those that relate to international stability and arms control, with regard to which measures need to be taken to prevent the arms race and to lead ultimately to disarmament.

The subjects dealt with in draft resolution A/C.1/54/L.1/Rev.1 and the amendments contained in A/C.1/54/L.56 are relevant and should naturally be given the priority attention of the international community. Nonetheless, my delegation believes that as the issue has been expressed, it is premature to decide on it, and that is why we abstained in the voting on both documents.

Mr. Estremé (Argentina) (*spoke in Spanish*): My delegation wishes to make the following explanation of vote on draft resolution A/C.1/54/L.1/Rev.1. Argentina attaches great importance to the Anti-Ballistic Missile Treaty and other agreements among countries that possess nuclear weapons that are aimed at moving towards general and complete disarmament. We are concerned at the lack of progress in this field by the nuclear-weapon States, as exemplified by the lack of progress towards the ratification of START II towards negotiations on START III. The situation would be even more worrisome if existing treaties, such as the ABM Treaty, were to be weakened. We feel that there is legitimate concern in the international community in this respect. We therefore wish to reiterate the appeal that we made directly to the countries involved that they redouble their efforts to strengthen existing agreements and to make progress on new agreements in order to fully comply with their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

Nonetheless, Argentina abstained in the voting on this draft resolution because we are not convinced that it contributes to creating a climate conducive to the attainment of these objectives.

Mr. Priedkalns (Latvia): In opposing the draft resolution, the Latvian delegation wishes to emphasize its support for and commitment to all efforts made to stem the proliferation of weapons of mass destruction and their means of delivery. However, in the present debate it is the view of the Latvian delegation that, initially, a continued bilateral dialogue between the Russian Federation and the United States of America is the best and most practical way to facilitate the attainment of ballistic missile control. By taking the initiative out of the hands of the initiators we may interfere with, rather than aid, the implementation of the objectives of the Treaty.

The United States/Russia debate must of course be complemented and accompanied by debate among all nuclear-weapon States for the control of their destructive weaponry. The aim for all of us is the same: improved global security.

Mr. Achenbach (Germany): I am speaking on behalf of Austria, Belgium, Bulgaria, the Czech Republic, Cyprus, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Italy, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain and the United Kingdom.

I should like to explain why these countries decided to abstain in the voting on draft resolution A/C.1/54/L.1/Rev.1, entitled "Preservation of and compliance with the Anti-Ballistic Missile Treaty". The manner in which this matter has been raised in the First Committee does not have the support of both parties to the Treaty. We have underlined the need for a consensus on this draft resolution from the very early stages of the work of the First Committee and were involved in efforts to reach such a consensus solution.

Several States actively took part in consultations to that end. We regret that it was not possible for the parties to the Treaty to reach an agreement on the issue. We attach great importance to the Anti-Ballistic Missile (ABM) Treaty as a cornerstone of strategic stability, contributing to the broader disarmament and arms control process. Both the Russian Federation and the United States have reaffirmed in their statements their commitment to the ABM Treaty and to the continuation of their efforts to strengthen the Treaty in order to enhance its viability and effectiveness in the future. We welcome these commitments and urge the parties to continue their cooperation on this basis.

We underline the importance of further progress in bilateral nuclear disarmament efforts. Also, with a view to advancing wider multilateral efforts in nuclear disarmament and non-proliferation, we urge the parties to continue with the bilateral process in this field, including the early entry into force of START II and the early commencement of START III negotiations on further significant reductions of nuclear arsenals.

As the Treaty on the Non-Proliferation of Nuclear Weapons provides the global framework for nuclear disarmament and non-proliferation, we call on all States parties to the Treaty to strive for a successful Review Conference in April-May 2000. We also underline the

importance of continued and intensified efforts to bring the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force at the earliest date, in particular by those States in the list of 44 countries whose ratification is needed for the Treaty to enter into force. A political climate beneficial for further progress in nuclear disarmament and non-proliferation, including in the NPT review process, will be brought about by such factors as the preservation of the ABM regime, the continuation of the START process and further progress with the CTBT.

We are strongly committed to the cause of non-proliferation of weapons of mass destruction and their means of delivery. We fully support the substance of the amendments introduced by France. We regret that we felt obliged to abstain on these amendments, as it would not have been appropriate to support amendments without being in a position to support the amended draft resolution.

Mr. Salander (Sweden): Sweden aligns itself with the explanation of vote given by Germany on behalf of several European countries and wants to add the following.

Sweden considers the Anti-Ballistic Missile (ABM) Treaty to be a cornerstone of strategic stability and an important component of global security. Therefore, the continued integrity of the ABM Treaty is of global concern. The ABM Treaty is also closely linked to the broader disarmament and non-proliferation agenda. Sweden follows with close attention and concern developments with respect to the ABM Treaty. We call upon the States parties to exercise restraint and to refrain from any deployment of anti-ballistic missile systems which could jeopardize the integrity of the ABM Treaty or which could create uncertainties and have a negative impact on nuclear disarmament and non-proliferation. The States parties should demonstrate their stated commitment to the ABM Treaty by continuing their cooperation in a positive and constructive spirit.

Sweden deeply regrets that the States parties to the ABM Treaty were not able to submit a consensus draft resolution on this issue. In the absence of such a consensus, Sweden does not consider it appropriate to interfere in an ongoing process of negotiations between two parties. Therefore, Sweden decided to abstain in the voting on the draft resolution entitled "Preservation of and Compliance with the Anti-Ballistic Missile Treaty".

Sweden also abstained in the voting on the amendments proposed by the French delegation, since those amendments would not have changed our view on the draft resolution in its entirety.

In this context, Sweden would also like to underline the importance of continued efforts towards the early entry into force of other arms control treaties. A solid ABM regime, the continuation of the START process and further strengthening of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) are all vital ingredients in promoting a political climate beneficial for global non-proliferation and disarmament. The strengthening of these treaties and processes is a responsibility that lies with all States at the threshold of a new millennium and with the Treaty on the Non-Proliferation of Nuclear Weapons Review Conference only a few months away. The strengthening of global security requires unity rather than division.

Mr. Thapa (Nepal): My delegation wishes to explain its vote on the draft resolution entitled "Preservation of and compliance with the Anti-Ballistic Missile Treaty", contained in document A/C.1/54/L.1/Rev.1.

We supported the draft resolution mainly because of the following convictions.

The Anti-Ballistic Missile (ABM) Treaty of 1972 heralded the era of détente in the field of arms control. This Treaty is considered to be the cornerstone of strategic stability by the international community. Any effort to undermine the continued relevance of the ABM Treaty will spark a new round of the arms race.

Mr. Forquenot de la Fortelle (France) (*spoke in French*): France believes in principle that it is not up to the General Assembly of the United Nations to take prescriptive positions in areas such as that of strategic negotiations that are the subject of agreement between the States concerned and are not the subject of negotiations in competent multilateral forums dealing with disarmament and security. However, in the unprecedented new circumstances created by the presentation of one of the parties to the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) of a draft resolution that is not the subject of an agreement with the other party, France deemed that it was a matter of priority to develop the text, if possible, in a way compatible with the legitimate concerns of all States concerned, and if possible to have it adopted by consensus.

We thank the many delegations that assisted us in this endeavour. For France, the text of the draft resolution should incorporate the two basic aspects of the subject of

strategic anti-ballistic missile defences. First, we need to preserve the ABM Treaty, which has been the cornerstone of strategic stability since 1972. As the President of the French Republic said on 26 August last, we need to carefully avoid any calling into question of the ABM Treaty, which could upset the strategic balance and revive the nuclear arms race, made even worse by ballistic proliferation. The second basic element is precisely the importance of combating the proliferation of ballistic missiles.

With the adoption of the French amendments a few minutes ago, these two basic elements now appear in the draft resolution, and France was therefore able to vote in favour of this extremely important text.

Mr. Holm (New Zealand): New Zealand abstained in the voting on the draft resolution on the Anti-Ballistic Missile (ABM) Treaty, as there are aspects about the draft resolution and the context in which it was presented which we find difficult. But our decision to abstain should not be read as questioning the importance of this Treaty in any way. The ABM Treaty is fundamental to international strategic stability, and we make this clear in the new agenda resolution on the need for a new agenda as a member of the new agenda coalition.

It is essential that the provisions of the ABM Treaty continue to be scrupulously upheld. In this context, we would urge both parties to work constructively to resolve their differences in a way that is mutually beneficial and that also takes into account international strategic implications and disarmament imperatives and obligations.

Mr. Hayashi (Japan): Japan fully shares with other Member States the recognition of the importance of the Anti-Ballistic Missile (ABM) Treaty in the context of international peace and security as well as the nuclear disarmament process. However, my delegation abstained in the voting on the draft resolution contained in document A/C.1/54/L.1/Rev.1, entitled "Preservation of and Compliance with the Anti-Ballistic Missile Treaty", because my delegation wonders whether taking the matter to the General Assembly while bilateral efforts are being made between the countries directly involved would be constructive or helpful for the successful conclusion of the efforts, although my delegation respects the right of any Member State to aspire to express its views through a draft resolution of the General Assembly.

Mr. Zahran (Egypt) (*spoke in Arabic*): The delegation of Egypt voted in favour of the draft resolution entitled "Preservation of and Compliance with the Anti-Ballistic Missile Treaty", contained in document A/C.1/54/L.1/Rev.1. The fact that Egypt abstained in the voting on the amendment contained in document A/C.1/54/L.56 does not mean that we disapprove of its content. On the contrary, Egypt fully supports the amendments. Our abstention resulted from the fact that they are not closely linked to the issue. We wish to express reaffirmation of and support for the concerns over the proliferation of weapons of mass destruction and their delivery systems. We also support efforts against weapons of mass destruction and their delivery systems.

Mr. Grey (United States of America): The United States attaches great importance to nuclear disarmament, and our bilateral negotiations with the Russian Federation have made significant progress in substantially reducing the nuclear stockpiles of both nations. We will continue to work in this bilateral channel to reduce these stockpiles even further. We believe this is the most substantial contribution we can make to fulfilling our obligation under article VI of the Nuclear Non-Proliferation Treaty to move towards a world in which nuclear weapons are a thing of the past.

But arms control does not proceed in a vacuum. Technologies change, threats change, the international climate changes. The Anti-Ballistic Missile (ABM) Treaty remains, as many have noted today, the cornerstone of strategic stability and provides the essential foundation for achieving further reductions in strategic offensive arms. But as circumstances change, it may become necessary to amend the Treaty to reflect new realities. The way to do that is through negotiations between the States most directly concerned. These States are, as correctly noted by the Ukrainian representative, the original signatories to the Treaty and their successor States. Indeed, I would note that the ABM Treaty has provisions for amendment and has already been amended in this way.

Presidents Clinton and Yeltsin, at their meeting in Cologne, affirmed their existing obligations to consider possible changes in the strategic situation which have a bearing on the Treaty and, as appropriate, possible proposals for further increasing its viability. Prudent adaptation like this is important for maintaining the strategic stability we all value. A Treaty which becomes obsolete does not bring stability; it only creates the illusion of stability. In the end, however, my Government's most basic responsibility is to create an international environment in which our people and our Republic can be preserved and protected. In our view, this in turn will enhance

international peace and stability. But we are not Luddites. While we want continued progress on nuclear disarmament, we would be reckless and irresponsible if we ignored the emergence of new threats and failed to embrace new technologies which might give us and others the ability to counter them. We understand the concerns that led to the introduction of the draft resolution, but we reject the premise that a 27-year-old Treaty cannot be updated to reflect today's realities without undermining it or liquidating it entirely. If our democratically elected leaders decide that adaptation is necessary to maintain stability, preserve the basis for progress on disarmament and protect our vital national interests, then that is what we shall do.

The Chairman (*spoke in Spanish*): That brings the Committee to the end of its discussion for this morning on a rather difficult draft resolution.

I call on the Secretary of the Committee, who has some information for members.

The meeting rose at 1.25 p.m.